Introduction

The focus of Diman Regional Vocational Technical High School Special Education Procedure Manual is to:

- Promote building consistency in maintaining regulatory compliance;
- Provide supporting documentation required for any DESE oversight;
- Act as a resource document for building personnel, students, and parents;
- Reflect current federal, state, and research-based guidance in program implementation.

Procedure manuals require timely reviews and updates and are responsive to regulatory changes. Diman Regional instructors are encouraged to provide any feedback regarding the document, revisions, scheduled meetings, the Special Education Department’s needs and to respond to any USDOE/IDEA/Department of Elementary and Secondary Education updates.

Another purpose of this manual is to familiarize and guide staff regarding federal and state regulatory requirements as well as to provide direction for implementation and monitoring. The intention is to provide a clear, common understanding of the department’s expectations in maintaining regulatory compliance. Any responsibilities identified in relation to a required procedure or mandatory activity are provided for information and are not related to any contractual agreements.

This manual is organized with two types of materials. The first reflects the broad Special Education (SE) criterions related to specific elements of the monitoring procedures of the Massachusetts Department of Elementary and Secondary Education (DESE). These include both Coordinated Program Review (CPR) components as well as elements of the Mid-Cycle Review (MCR). The wording of the criterion in each category reflects both IDEA2004 and its implementing regulations at 34CFR 300 and Mass General Law (MGL) Chapter 71B and its regulations at 603CMR 28.00. These criteria are organized under nine broad categories and are used as a framework for outside monitoring as well as for internal reviews and cyclical evaluations. Regulatory citations provided under each criterion as well as any appropriate references to DESE Special Education Technical or Update Advisories.

The second type of materials embedded within each of the SE criterions. There are descriptions of Diman's procedures aligned with each criterion, samples of forms, in-house practices, directions for utilizing related software and other resources linked to the SE category.

Materials in the Appendix are updated Advisory notices as well as resources reflecting current evaluation recommendations such as those related to Post-Secondary Transition Planning documentation and IEP articulation.
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Special Education Procedure:
SE 1 - Assessments Are Appropriately Selected and Interpreted for Students Referred for Evaluation

A. Tests and other evaluation materials are:
   - validated
   - administered and interpreted by trained individuals
   - tailored to assess specific areas of educational need and related developmental needs
   - selected and administered to reflect aptitude and achievement levels and related developmental needs
   - as free as possible from cultural and linguistic bias
   - provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally
   - not the sole criterion for determining an appropriate educational program
   - not only those designed to provide a single general intelligence quotient
   - are selected and administered to ensure when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student’s aptitude or achievement level or the other factors the test purports to measure
   - technically sound instruments may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors

B. In interpreting evaluation data and making decisions, the district:
   - uses information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent
   - ensures information obtained from these sources is considered
   - ensures the placement decision conforms with placement in the least restrictive environment
   - includes information related to enabling the student to be involved in and progress in the general curriculum

C. In developing post-secondary planning, the district:
   - uses individually selected formal and informal instruments administered at least annually
   - compiles information from a variety of sources to ensure the evaluation of needed skills provides current, useful and student-specific information for development of the IEP
   - monitors student independence across settings to ensure generalization of skills necessary for successful post-secondary transition.

State Requirements
603 CMR 28.04; 28.05

Federal Requirements
34 CFR 300.304; 300.305; 300.306(e)
Procedure for Selection and Interpretation of Assessments for Students Referred for Evaluation: 603 CMR 28.04; 28.05

All tests and other evaluation materials administered for students referred for evaluation at Diman Regional are:

- validated
- administered and interpreted by trained individuals, no staff person at Diman Regional will administer or interpret an evaluation for which they have not been trained
- tailored to the individual student’s specific areas of educational need and related developmental needs and/or as requested by the parent
- selected and administered by a trained professional to reflect the aptitude and achievement levels and related developmental needs of the student
- as free as possible from cultural and linguistic bias
- provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally
- not the sole criterion for determining an appropriate educational program but used as a measure during the Team meeting to provide students with an appropriate educational placement and program of studies
- not only those designed to provide a single general intelligence quotient but also achievement levels in order to determine whether or not a student has a disability(ies)
- are selected and administered to ensure when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student’s aptitude or achievement level or the other factors the test purports to measure
- technically sound instruments may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors

When interpreting evaluation data and making decisions, Diman Regional will:

- use information from a variety of sources to gather relevant functional and developmental information, including information provided by the parent – including teacher reports, current grade reports, report from the guidance counselor, and parent questionnaire
- ensure information obtained from these sources is considered
- ensure the placement decision conforms with placement in the least restrictive environment for the student within the options available at Diman Regional
- include information related to enabling the student to be involved in and progress in the general curriculum to the greatest extent possible
Special Education Procedure:
SE 2 - Required and Optional Assessments

A. Required assessments: The following assessments are completed by appropriately credentialed and trained specialists for each referred student:
   - Assessment(s) in all areas related to the suspected disability(ies) including consideration of any needed assistive technology devices and services and/or instruction in Braille.
   - Educational assessment by a representative of the school district, including a history of the student’s educational progress in the general curriculum.
   - Completed by the student’s Guidance Counselor during one-to-one interview and upon review of student’s records
   - Assessment by a teacher(s) with current knowledge regarding the student’s specific abilities in relation to learning standards of the Massachusetts Curriculum Frameworks and the district’s general education curriculum, as well as an assessment of the student’s attention skills, participation, behaviors, communication skills, memory, and social skills with groups, peers, and adults.
   - An assessment of a student to develop appropriate post-secondary transition planning, grade-specific surveys and informal assessments are done on an annual basis, with the information used as the basis of discussion for the post-secondary transition meeting, recorded on the TPF form and discussed in IEP (Key Strengths and Evaluation section) as well as included in the N1 letter information.

B. Optional assessments: The administrator of special education may recommend, or the parent may request one or more of the following:
   - A comprehensive health assessment by a physician identifying medical problems or constraints may affect the student's education. The school nurse may add additional relevant health information from the student's school health records.
   - A psychological assessment by a certified school psychologist, licensed psychologist, or licensed educational psychologist, including an individual psychological examination.
   - A home assessment may be conducted by a nurse, psychologist, social worker, guidance or adjustment counselor, or teacher and includes information on pertinent family history and home situation and may include a home visit, with the agreement of the parent

C. At the re-evaluation of a student, if no additional assessments are needed to determine whether the student continues to be eligible for special education, the school district recommends to the student's parents/guardians the following:
   - No further assessments are needed and the reasons for this; and
   - The right of such parents to request an assessment.

State Requirements
603 CMR 28.04 (1) and (2)

Federal Requirements
34 CFR 300.304; 300.305; 300.324(a)(2)(v)
Procedure for Required and Optional Assessments

603 CMR 28.04 (1) and (2)

All initial evaluations and three-year re-evaluation psycho-educational testing is done by a licensed School Psychologist and all results from testing are reported to the Director of Special Education, the parents, and the staff two days prior to an Eligibility or Re-evaluation Team meeting. The School Psychologist is available at or before the Team meetings to review results with students and parents and answer any questions they may have, as well as offer suggestions for placement, services, further testing or screenings, and any suitable accommodations/modifications. Special Educators provide additional assessment information including observations, informal assessments and work product analysis.

All assessments selected to investigate eligibility with ADD/ADHD as the possible etiology are assigned to the School Psychologist and utilize a broad range of instruments including teacher screening questionnaires, parent interviews, surveys with student observation and interview by the School Psychologist. Results are used to determine eligibility under the category of Other Health Impairment (OHI)/ADD/ADHD or to refer the parent and student to their primary care physician for further evaluations if they decide this as a next step. All assessments selected to investigate eligibility under the category of Autism are completed by the School Psychologist and can include “closed” instruments to determine levels of social/emotional issues.

Speech/language evaluation referrals are completed by licensed Speech/Language Pathologists and the speech/language consultant is available at all Team meetings to review results with students and parents and to offer suggestions for services and/or accommodations/modifications to curriculum.

Prior to all IEP meetings, those teachers who have academic and/or vocational relationships with the student complete current Progress Reports for the parents and for the Liaison representing the student at the IEP meeting. Results are used from these reports to address student progress within academics and shop. Current ASPEN statistics, such as grades and assignments are also included in these reports.

All Highly Qualified licensed special education staff at Diman Regional are knowledgeable about the regulation requirements guide student assessment. Professional development is provided to update staff skills relative to interpretation of assessments/standardized instruments.

No professional staff member administers any test unless staff are trained and have experience with instruments in the Diman setting.

Diman Regional staff follows all district guidelines in the use and destruction of test protocols.

If it is determined administration of an earlier battery of tests or components are not needed for the Eligibility Team to determine continuing eligibility, the parents (or student if 18 or older) are notified of the Department's recommendations for reduced assessments and consent is obtained for the process to move forward.

Reminder: The decision if a student is eligible for special education services is an educational one, not a medical one.
# Educational Summary (Adapted from Ed. Assessment Part B)

**Meeting Type**

<table>
<thead>
<tr>
<th>School Personnel Name:</th>
<th>Course Title:</th>
<th>Form Date:</th>
</tr>
</thead>
</table>

**Meeting Data:**

<table>
<thead>
<tr>
<th>Time:</th>
<th>Attendance Required:</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

**Student Name:**

<table>
<thead>
<tr>
<th>Meeting Location:</th>
<th>Single Meet</th>
<th>Other: W. Paiva</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

1. The student's abilities in relation to the learning standards of the Massachusetts Curriculum Frameworks and the district curriculum are: (Choose one)

2. The answer to Question #1 above is based upon: (Check all that apply)

   - [ ] Grades on quizzes and tests
   - [ ] NCAS Scores
   - [ ] Work samples/projects
   - [ ] Anecdotal notes
   - [ ] Observations
   - [ ] Other (please explain)

3. Attention: How does the student's attention in class compare to grade and age-level peers? (Choose one)

   - [ ] Less than 1 minute
   - [ ] 2 - 5 minutes
   - [ ] 6 - 10 minutes
   - [ ] more than 10 minutes

4. Participation in classroom activities/topics. (Choose one)

   - [ ] 1 - 2
   - [ ] 3 - 4
   - [ ] 5 - 6
   - [ ] more than 6

5. Student's primary or preferred communication mode:

   - [ ] Oral
   - [ ] Written
   - [ ] Sign
   - [ ] Symbol
   - [ ] Electronic
6. Communication. In comparison to grade and age-level peers, the student's communication is: (Choose one)

7. Interpersonal skills. In comparison to grade and age-level peers, the student's interpersonal skills with groups, peers and adults is: (Choose one)

8. What is the student's preferred learning style?

- Visual
- Auditory
- Kinesthetic
- Reading/Writing
- Unknown

9. What accommodations are necessary for the student? (Support given to a student to assist them in accessing the general curriculum in order to demonstrate learning.) (Check all that apply)

- Extended time
- Material read aloud
- Highlighted text/materials
- Shortened assignments
- Audio text/materials
- Assignment/homework reminders
- Oral responses
- Note takers /braille/ speech-to-text
- Visual aids
- Non-verbal cues
- Multi-modal presentation
- Graphic organizers
- Frequent breaks
- Designated work/study space
- None needed
- Other:

10. What was the source of accommodations used for this student? (Check all that apply)

- My own best practices
- Student's IEP
- The District's IDEA

11. What modifications are necessary for the student? (Changes made in the curriculum content or delivery of instruction to match the student's needs.) (Check all that apply)

- Curriculum modified
- Provision of a related service
- Use of a behavioral program
- Individualized/group instruction
- Special education teacher support (in or out of the general education classroom)
- None
- Other:

12. What was the source of modifications used for this student? (Check all that apply)

- My own best practices
- Student's IEP
- The District's IDEA

13. What are the student's work habits? (Check all that apply)

- Works independently
- Preferential seating
- Structured classroom with defined routines
- Tends to be impulsive
- Disturbed by sound/noise/humming
- Requires extra encouragement
- Requires one-step directions
- Usually completes assigned tasks
14. What are the data-supported Strengths / Challenges for this student?

<table>
<thead>
<tr>
<th>Primary (Major) Skill</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Reading skills</td>
<td></td>
</tr>
<tr>
<td>Writing skills</td>
<td></td>
</tr>
<tr>
<td>Math skills</td>
<td></td>
</tr>
<tr>
<td>Communication skills</td>
<td></td>
</tr>
<tr>
<td>Social-emotional skills</td>
<td></td>
</tr>
<tr>
<td>Aphasia / hearing skills</td>
<td></td>
</tr>
<tr>
<td>Executive Functioning</td>
<td></td>
</tr>
</tbody>
</table>

15. Please provide any additional information you feel is relevant regarding this student’s educational profile.

Questions below are for Special Education Teachers Only

16. What current setting do you have this student in?

17. Is this student appropriately placed in the current setting?

   if no, please explain and make new recommendations.

18. Has this student demonstrated, or is likely to demonstrate, substantial regression in their learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided?

   if yes, additional information and data will be needed from the ESY form.

19. Please provide any updated progress toward non-academic IEP goals being serviced in your classroom setting that you will not be writing the Current Performance Level for on the IEP.

REV. 2/2022
Diman Regional Vocational Technical High School
Initial Teacher Assessment

<table>
<thead>
<tr>
<th>Teacher:</th>
<th>Look at bottom for correct tab</th>
<th>Course Title:</th>
<th>Form Due:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Date:</td>
<td>Time:</td>
<td>Attendance Required:</td>
<td>Yes</td>
</tr>
<tr>
<td>Student:</td>
<td>Meeting Location:</td>
<td>Google Meet</td>
<td>Liaison: Mr. Paiva</td>
</tr>
</tbody>
</table>

1. Please check all areas of concern regarding this student.

   Academic [ ]  Behavioral [ ]

   Organizational [ ]  Social Skills [ ]

2. Please state the reason you believe this student has a disability (impairment and need for special education).

   

3. Please check off any of the characteristics that apply to this student.

   Distractible/Inattentive [ ]  Difficulties completing assignments [ ]
   Difficulties following directions [ ]  Does not participate in class [ ]
   Inconsistent (academically/behaviorally) [ ]  Not working at grade level [ ]
   Inappropriate behavior (social, emotional, anger, withdrawal) [ ]

   Poor Attitude [ ]  Poor Attendance [ ]
   Poor Study Skills [ ]  Disruptive [ ]
   Lacks Motivation [ ]  Poor Social Skills [ ]
   Disorganized [ ]
# IEP-MEETING – VOCATIONAL TEACHER INPUT

(REQUIRED: Copy & paste current Gradebook grade report beginning on row 35)

<table>
<thead>
<tr>
<th>Student:</th>
<th>Teacher:</th>
<th>Trade:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Date:</td>
<td>Meeting Time:</td>
<td>Attendance Required: YES</td>
</tr>
<tr>
<td>Form DUE Date:</td>
<td>Meeting Location:</td>
<td>Google Meet</td>
</tr>
<tr>
<td>Liaison:</td>
<td>Mr. Paiva</td>
<td></td>
</tr>
</tbody>
</table>

NOTE: This form provides information that will be used by the Special Education liaison to write this student’s IEP. A copy will be sent home to parents/guardian prior to the meeting. Please provide the liaison with complete and relevant information to be conveyed at the meeting in your absence and to aid in the preparation of a valid IEP.

**This form will be copied for student parent/guardian.**

Current Shop Grade:

Please complete the following. An explanation MUST be provided for any “Needs Improvement” ratings.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Explanations/Comments (If yes, give example(s).)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Does the student require a different curriculum.</td>
<td></td>
</tr>
<tr>
<td>2. Developing trade skills consistent with, at least, entry employment relative to his/her years of instruction.</td>
<td></td>
</tr>
<tr>
<td>3. Dresses and grooms appropriately for the trade/school.</td>
<td></td>
</tr>
<tr>
<td>4. Attendance / Tardiness</td>
<td></td>
</tr>
<tr>
<td>5. Follows safety procedures</td>
<td></td>
</tr>
<tr>
<td>6. Follows instructor’s directions</td>
<td></td>
</tr>
<tr>
<td>7. Works productively on independent tasks</td>
<td></td>
</tr>
<tr>
<td>8. Works productively in collaborative situations</td>
<td></td>
</tr>
<tr>
<td>9. Interacts positively with teachers, staff, peers, and/or public including special or diverse populations</td>
<td></td>
</tr>
<tr>
<td>10. Demonstrates understanding of assigned objectives</td>
<td></td>
</tr>
<tr>
<td>11. Uses communication effectively as required</td>
<td></td>
</tr>
<tr>
<td>12. Uses math accurately as required</td>
<td></td>
</tr>
<tr>
<td>13. Selects equipment and/or applies technology to specific tasks independently</td>
<td></td>
</tr>
<tr>
<td>14. Takes the initiative to stay on task or remain productive</td>
<td></td>
</tr>
<tr>
<td>15. Accepts constructive critiquing to improve skills, attitude, etc.</td>
<td></td>
</tr>
<tr>
<td>16. Seeks assistance or extra help</td>
<td></td>
</tr>
<tr>
<td>17. IF this student is demonstrating difficulties, who if anyone have you been in contact with: (select all that apply)</td>
<td></td>
</tr>
</tbody>
</table>

*If you gave a Success Plan for Semester 1, did the student complete the plan?*

## ACCOMMODATIONS

Place an X for accommodations given only to this student in order to support their individual needs. (ex. if the whole shop has access to a calculator, this should not be noted as an accommodation.)

<table>
<thead>
<tr>
<th>Place &quot;X&quot; here</th>
<th>Description of accommodation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allows students to work in pairs, small groups, or teams</td>
<td></td>
</tr>
<tr>
<td>Assistive technology (i.e. computer, calculator, etc.) to address student needs based on disability</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Binder/folders for organizing shop notes</td>
<td></td>
</tr>
<tr>
<td>Checklists that allow student to monitor progress</td>
<td></td>
</tr>
<tr>
<td>Instructor check-ins to monitor student comprehension/progress</td>
<td></td>
</tr>
<tr>
<td>Color coding of materials that relate to specific tasks</td>
<td></td>
</tr>
<tr>
<td>Computer-assisted learning programs available to supplement instruction and practice opportunities</td>
<td></td>
</tr>
<tr>
<td>Cue cards with diagrams or step-by-step instruction</td>
<td></td>
</tr>
<tr>
<td>Extended time to complete assignments/projects</td>
<td></td>
</tr>
<tr>
<td>Focus learning on essential skills/key concepts</td>
<td></td>
</tr>
<tr>
<td>Provide handouts/reference sheets for future recall/reference</td>
<td></td>
</tr>
<tr>
<td>Break down projects into smaller steps</td>
<td></td>
</tr>
<tr>
<td>Linking previously learned material with new material for reinforcement of concept</td>
<td></td>
</tr>
<tr>
<td>Preferential seating</td>
<td></td>
</tr>
<tr>
<td>Repetition of concepts until competency is attained</td>
<td></td>
</tr>
<tr>
<td>Repeat/clarify</td>
<td></td>
</tr>
<tr>
<td>Safety procedures and rules reviewed and reinforced as needed</td>
<td></td>
</tr>
<tr>
<td>Small group instruction</td>
<td></td>
</tr>
<tr>
<td>Use of graphic organizers to assist comprehension</td>
<td></td>
</tr>
<tr>
<td>Use of guide sheets to assist comprehension</td>
<td></td>
</tr>
<tr>
<td>Use of re-focusing techniques such as physical prompts to stay on task</td>
<td></td>
</tr>
<tr>
<td>Establish routines/provide structure to enhance learning in the trade environment</td>
<td></td>
</tr>
<tr>
<td>Visual demonstration/modeling of tasks paired with oral instruction</td>
<td></td>
</tr>
<tr>
<td>Ongoing communication with special education liaison and parent to ensure task completion</td>
<td></td>
</tr>
</tbody>
</table>
# Student Status Report

## Guidance Counselor

<table>
<thead>
<tr>
<th>Student Name:</th>
<th>Grade:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guidance Counselor:</td>
<td>Date Due:</td>
</tr>
<tr>
<td>Meeting Date:</td>
<td>Meeting Location: Google Meet</td>
</tr>
<tr>
<td></td>
<td>Meeting Time:</td>
</tr>
</tbody>
</table>

## Attendance Report

<table>
<thead>
<tr>
<th>Days Present:</th>
<th>Tardies:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Absences:</td>
<td>Dismissals:</td>
</tr>
<tr>
<td>Comment to clarify any current or emerging issues:</td>
<td></td>
</tr>
</tbody>
</table>

## Discipline Report

<table>
<thead>
<tr>
<th># of out of school suspensions:</th>
<th># of Saturday schools:</th>
</tr>
</thead>
<tbody>
<tr>
<td># of in school suspensions:</td>
<td># of Credit Recoveries:</td>
</tr>
<tr>
<td># of detentions:</td>
<td></td>
</tr>
</tbody>
</table>

## Movement Toward Graduation

<table>
<thead>
<tr>
<th>ELA MCAS Score:</th>
<th>Math MCAS Score:</th>
</tr>
</thead>
<tbody>
<tr>
<td>STE MCAS Score:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EPP Completion/In Progress:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th># Credits required for graduation:</th>
<th># Credits obtained to date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the student on track to receive a high school diploma:</td>
<td></td>
</tr>
<tr>
<td>If no, please explain:</td>
<td></td>
</tr>
</tbody>
</table>

## Academic Progress/Extra Curricular

Please make any notes regarding the student's academic progress and extra-curricular activities (clubs, athletics, etc.): |
**Diman Regional Vocational Technical High School**  
251 Stonehaven Road, Fall River, MA 02723  
Date of Meeting: __________  
Time of Meeting: __________  
Location: Google Meet  
Date Due: __________

---

**EDUCATIONAL ASSESSMENT: Part A**

<table>
<thead>
<tr>
<th>Student Name:</th>
<th>Grade:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guidance Counselor:</td>
<td>Date:</td>
</tr>
</tbody>
</table>

**SCHOOL HISTORY**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>GRADE</th>
<th>SCHOOL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

Has the student received any instruction support services?  

---

Have there been any school-related events/issues (such as attendance, recognitions, special education referrals, behavioral issues and medical problems) impacting student’s learning.  

If YES, please explain.  

---

**EDUCATIONAL PROGRESS AND POTENTIAL**

Is the student making progress in the general curriculum?  

If NO, explain why not and reference the student's educational history and state/district-wide assessment when responding.  

---

Has the student’s progress been:  

- Similar to his/her peers?  
- Consistent over the student’s school history?  

Provide any other comments related to student’s educational and development potential.
Special Education Procedure:
SE 3 - Special Requirements for Determination of Specific Learning Disability

When a student suspected of having a specific learning disability is evaluated, the Team creates a written determination as to whether or not he or she has a specific learning disability, which is signed by all members of the Team, or if there is disagreement as to the determination, one or more Team members document their disagreement.

Diman Regional utilizes the mandated color-coded Specific Learning Disability forms, completing them prior to the eligibility Team meeting when the student being evaluated is suspected of or has previously been found eligible for special education services under IDEA2004/CMR300 categorical definition of Specific Learning Disability.

**State Requirements**
34CFR CMR 300.8©(10); 300.311

**Federal Requirements**
34 CFR 300.8(c)(10); 300.311
Procedure for Special Requirements for Determination of Specific Learning Disability (SLD)

34 CFR 300.8(c)(10); 300.311

When a student suspected of having a Specific Learning Disability (SLD) is evaluated, Diman Regional Eligibility Team, will review the 4 required SLD forms as part of the Team discussion. The Team will create a written determination as to whether or not the student demonstrates behaviors and deficits outlined in the regulations as indicating eligibility under the category of SLD. All members of the Team will sign the determination. If there is a disagreement as to the determination, one or more Team members document their disagreement utilizing state mandated forms including:

- Specific Learning Disability Eligibility Team determination of eligibility
- SLD 1 – Historical Review and Educational Assessment
- SLD 2 – Area of Concern and Evaluation Method
- SLD 3 – Exclusionary factors (cultural factors, environmental or economic disadvantage, limited English proficiency, a visual, hearing, or motor disability, mental retardation, or emotional disturbance)
- SLD 4 - Classroom Observation Checklist
- SLD TA-2 – Specific Learning Disability Checklist
Specific Learning Disability
Team Determination Of Eligibility

Component 1
The requirements for historical information and educational assessment have been addressed, including:
- ☐ Historical Review
- ☐ Participation Skills
- ☐ Performance History
- ☐ Medical Information
  Attach completed SLD 1.

Component 2
The Team has identified the Area(s) of Concern and has evidence that:
- ☐ The student is not making effective educational progress for his/her age or to meet ELA or Math Curriculum Framework standards when using a process based on the student's response to scientific, research-based intervention.
  Attach completed SLD 2.
  and/or
- ☐ There is a severe discrepancy between IQ and achievement and the student exhibits a pattern of strengths and weaknesses in performance, achievement or both, relative to age or ELA or Math Curriculum Framework standards, or intellectual development.
  Attach completed SLD 2.

Component 3
☐ The Team has determined that the lack of achievement in the area of concern is not a result of cultural factors; environmental or economic disadvantage; limited English proficiency; visual, hearing, or motor disability; intellectual disability; or an emotional disturbance.
  Attach completed SLD 3.

Component 4
☐ Relevant behavior has been observed and the relationship of that behavior to the student's academic functioning has been noted.
  Attach completed SLD 4.

Findings
☑ The Team has reviewed Components 1-4 and the Eligibility Flow Chart and has determined that the student has a Specific Learning Disability and requires Special Education services.
  ☐ Yes ☐ No

Sign and check if you agree or disagree with the findings above.

☐ agree □ disagree

Name and Title
☐ agree □ disagree

Name and Title
☐ agree □ disagree

Name and Title
☐ agree □ disagree

Name and Title
☐ agree □ disagree

Name and Title
☐ agree □ disagree

☐ The Eligibility Team must include the parent of the student, the student's general education teacher or a general education teacher qualified to teach a student of his or her age, and at least one person qualified to conduct individual diagnostic examinations of students.

☐ If a Team member disagrees with the conclusions of the Team report, the Team member must submit, and attach to this documentation, a separate statement presenting his or her conclusions.

Mandated form 28M/10

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Specific Learning Disability
Required documentation for Component 1

Historical Review
When evaluating a student for a Specific Learning Disability, the Team must ensure that the student's underachievement is not due to lack of appropriate instruction in reading or math.

Therefore, the Team has considered that:
A. the student has been provided appropriate instruction in general education settings and that instruction has been delivered by qualified personnel;
B. there is data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the student's progress and this documentation was provided to the student's parents.

Have the above requirements been met?
☐ Yes, both A and B have been met.
☐ Some, but not all of the requirements in A and B have been met. The Team must determine what additional information is needed and how they will obtain the information within the evaluation timeframe. See SLD TA 3.
☐ No, the requirements have not been met and therefore the referral for special education evaluation should not go forward until the school has sufficient information to determine that the student has been given appropriate opportunities to learn in the general education environment. See SLD TA 4.

Participation Skills
☐ Assessments of the student's attention skills, participation behaviors, communication skills, memory, and social relations with groups, peers, and adults have been collected.

Performance History
Supporting evidence shows that the student has:
☐ consistently performed within the range of performance of same-age peers; or
☐ consistently performed better than same-age peers; or
☐ consistently performed less well than same-age peers; or
☐ demonstrated inconsistent performance throughout his/her educational history.

Medical Information
Educationally relevant medical findings are noted.

Findings:

Completed by

Date

SLD 1 (pink)
Specific Learning Disability
Required documentation for Component 2

A. If using a scientific, research-based intervention as an eligibility determination procedure, complete this section.

A.1. Based on assessment data*, the student is not making effective educational progress for their age or to meet ELA or Math Curriculum Framework standards when using a process based on the student’s response to scientific, research-based intervention in one or more of the following areas:

☐ Oral Expression
☐ Basic Reading Skills
☐ Reading Fluency Skills
☐ Mathematics Problem Solving

☐ Written Expression
☐ Reading Comprehension
☐ Listening Comprehension
☐ Mathematics Calculation

*Assessment data includes classroom performance information as well as data related to visual and auditory processing of information.

A.2. Has the scientific, research-based intervention method that was implemented provided sufficient information so that a responsive, data-driven IEP can be developed for the student?

☐ Yes, sufficient evidence exists regarding how the student learns and what is impeding learning so that a responsive, data-driven IEP can be developed.

☐ No (if no, attach additional diagnostic assessments that will determine how the student learns and what is impeding learning, that will assist in the writing of a responsive, data-driven IEP and designing specialized instruction based on the student's needs.)

A.3. Attach documentation of the instructional strategies used and the student-centered data collected that shows evidence that:

• the student has been instructed using research-based instructional strategies;
• repeated, student-centered assessment data has been collected at reasonable intervals, and
• the student's parents have been notified regarding the amount and nature of assessment data that is collected based on the student's instruction and academic progress, strategies implemented to increase the student's learning, and the parent's right to request an evaluation.

Completed by ________________  Date ________________

B. If using the IQ/achievement discrepancy model as an eligibility determination procedure, complete this section.

B.1. Based on a finding of a severe discrepancy between IQ and achievement, the student exhibits a pattern of strengths and weaknesses in performance, achievement or both, relative to age or ELA or Math Curriculum Framework standards, or intellectual development. In the areas of

☐ Oral Expression
☐ Basic Reading Skills
☐ Reading Fluency Skills
☐ Mathematics Problem Solving

☐ Written Expression
☐ Reading Comprehension
☐ Listening Comprehension
☐ Mathematics Calculation

B.2. Technically sound instruments have been used to assess cognitive and behavioral factors as well as physical or developmental factors.

☐ Yes  ☐ No

B.3. More than one measure or assessment has been implemented.

☐ Yes  ☐ No

B.4. Attach the IQ/achievement assessment report that supports statements B.1-3.

☐ Yes  ☐ No

Completed by ________________  Date ________________

SLD 2 (blue)
Specific Learning Disability Exclusionary Factors
Required documentation for Component 3

In determining Special Education eligibility with a Specific Learning Disability, the Team must ensure that the identified area of concern is not primarily the result of one of the following. As you work through the flow-chart, keep the student's area of concern in mind and consider individual characteristics of the student as you answer Yes or No to each of the questions.

- Is the student's lack of sufficient progress in the area of concern due primarily to cultural factors?  □ YES  □ NO

- Is the student's lack of sufficient progress in the area of concern due primarily to an environmental or economic disadvantage?  □ YES  □ NO

- Is the student's lack of sufficient progress in the area of concern due primarily to limited English proficiency?  □ YES  □ NO

  If any answers are "Yes" the student cannot be found eligible for Special Education as a student with a Specific Learning Disability.

- Is the student's lack of sufficient progress in the Disability, area of concern due primarily to a visual, hearing, or motor disability?  □ YES  □ NO

- Is the student's lack of sufficient progress in the area of concern due primarily to intellectual disability?  □ YES  □ NO

- Is the student's lack of sufficient progress in the area of concern due primarily to an emotional disturbance?  □ YES  □ NO

  If all answers are "No" the Team may consider eligibility for Special Education as a student with a Specific Learning Disability.

Completed by ____________________________ Date ____________
Classroom Observation Checklist
Grades 9-12
Required documentation for Component 4

Class/Location observed (include teacher name) ____________________________
Observer Name and Title ____________________________ Date of Observation ______

This tool is designed for use as a guide during a student observation. You may not see all domains addressed, however, the student should be observed during times when you will be able to monitor behaviors related to the area of concern.

In order to obtain a full and accurate picture of the student's performance, it may be necessary to observe the student more than once, in different settings and at different times of the day. Multiple observation forms may be included in the evaluation documentation.

Directions: First identify the area(s) of concern for the student. Behavior around each identified area is where you will focus your observation. During the observation place a check mark next to the behaviors that are observed within each domain that correlates with the noted areas of concern. Note, however, these checklists are not exhaustive. In the notes section, write any additional observed behavior, including strengths, which may be relevant to the student's evaluation.

Check area(s) of concern as identified in SLD 2.

☐ Oral Expression
☐ Basic Reading Skills
☐ Reading Fluency Skills
☐ Mathematics Problem Solving
☐ Written Expression
☐ Reading Comprehension
☐ Listening Comprehension
☐ Mathematics Calculation

Language (Oral Expression, Basic Reading Skills, Reading Comprehension, Listening Comprehension)
☐ Age Appropriate
☐ Has difficulty modulating voice (i.e. too soft, too loud)
☐ Uses vague, imprecise language and has limited vocabulary
☐ Demonstrates slow and halting speech, using lots of fillers (i.e., uh, um, and, you know)
☐ Uses poor grammar or misuses words in conversation
☐ Confuses words with others that sound similar
☐ Inserts malapropisms ('slips of the tongue') into conversation (i.e., a rolling stone gathers no moss; he was a man of great stature)
☐ Has difficulty understanding instructions or directions
☐ Has difficulty with pragmatic skills (i.e., understands the relationship between speaker and listener, stays on topic, gauges the listener's degree of knowledge, makes inferences based on a speaker's verbal and non-verbal cues)

Notes: ____________________________

Reading (Basic Reading Skills, Reading Comprehension, Reading Fluency Skills)
☐ Age Appropriate
☐ Frequently loses place while reading
☐ Confuses similar-looking words (i.e., beard, bread)
☐ Demonstrates poor memory for printed words
☐ Has weak comprehension of ideas and themes
☐ Reads slowly

SLD 4 / OBS Secondary (purple)
Classroom Observation Checklist
Grades 9-12
Required documentation for Component 4

Class/Location observed (include teacher name) ________________________________
Observer Name and Title __________________________ Date of Observation ________

- □ Guesses at unfamiliar words rather than using word analysis skills
- □ Substitutes or leaves out words while reading
- □ Dislikes and avoids reading or reads reluctantly

Notes:

Written Language (Written Expression)

□ Age Appropriate
□ Writing is messy and incomplete, with many cross-outs and erasures
□ Uses uneven spacing between letters and words, and has trouble staying ‘on the line’
□ Copies inaccurately (i.e., confuses similar-looking letters and numbers)
□ Spells poorly and inconsistently (i.e., the same word appears differently other places in the same document)
□ Has difficulty proof-reading and self-correcting work
□ Fails to develop ideas in writing so written work is incomplete and too brief

Notes:

Math (Math Calculation, Math Problem Solving)

□ Age Appropriate
□ Has difficulty learning strategic counting principles (i.e., by 2, 5, 10, 100)
□ Poorly aligns numbers resulting in computation errors
□ Has difficulty estimating quantity (i.e., quantity, value)
□ Has difficulty with comparisons (i.e., less than, greater than)
□ Has trouble telling time
□ Has trouble conceptualizing the passage of time
□ Has difficulty counting rapidly or making calculations
□ Has trouble interpreting graphs and charts

Notes:

Social Emotional (All Areas)

□ Age Appropriate
□ Does not pick up on other people’s mood/feelings (i.e., may say the wrong things at the wrong time)
□ May not detect or respond appropriately to teasing
□ Has difficulty ‘joining in’ and maintaining positive social status in a peer group
□ Has trouble ‘getting to the point’ (i.e., gets bogged down in details in conversation)
□ Has difficulty dealing with group pressure, embarrassment and unexpected challenges

Notes:
Special Education Procedure:
SE 3A - Special Requirements for Students on the Autism Spectrum

Whenever an evaluation indicates a child has a disability on the autism spectrum, which includes autistic disorder [autism], Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rhett's Syndrome as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV, 2000), the IEP Team shall consider and shall specifically address the following:

- the verbal and nonverbal communication needs of the child
- the need to develop social interaction skills and proficiencies
- the needs resulting from the child's unusual responses to sensory experiences
- the needs resulting from resistance to environmental change or change in daily routines
- the needs resulting from engagement in repetitive activities and stereotyped movements
- the need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder
- and other needs resulting from the child's disability which impact progress in the general curriculum, including social and emotional development

State Requirements
Chapter 57 of the Acts of 2006, amends
M.G.L. c. 71B, section 3

Federal Requirements
34 CFR 300.8(c)(1)(i)
Procedure for Determining Special Requirements for Students on the Autism Spectrum
CFR 300.8(c)(1)(i)

Both federal and state law define "autism" as a disability inclusive of each of the diagnoses on the autism spectrum, and these diagnoses are identified in Chapter 57. The IEP of an eligible student with a documented disability on the autism spectrum should identify the disability category of autism to ensure the IEP Team considers all areas of development which affect ASD. However, it is important to note some students with an autism spectrum disorder have one or more other disabilities and may have a primary disability other than autism. These students have the right to a full discussion of the impact of their autism spectrum disorder in the development of their IEP. Therefore, we recommend that if a student has an ASD, it is identified on the student's IEP whether or not it is considered the primary disability.

The IEP Team is responsible for designing intervention, education and instruction to meet the individual needs of students with ASD. The IEP Team must consider and address seven specific areas of need when developing the IEP for a student with ASD. The Team will consider the student's needs in an interactive, comprehensive manner across areas. This guidance is intended to inform the Team's discussion of the student's needs and to facilitate the creation of an appropriate educational program for the student.

- **The verbal and nonverbal communication needs of the student**
  - Does the student require a Speech/Language Evaluation – if so then one will be requested
  - Will the student require Speech/Language intervention from a therapist – if so then services will be scheduled and written into the IEP
  - Recommendations from the Speech/Language therapist will be written into the current IEP

- **The need to develop social interaction skills and proficiencies**
  - Is the student able to respond appropriately to the social approach of others – if not, the student may be recommended for social skills group services provided by Diman Regional, with services written into the IEP as a goal with objectives for direct or consultative services.
  - Does the student require instruction in bullying prevention and do they understand who they would go to in the school if they felt they were being bullied in the building or on the bus – if not then the student may need social skills training around bullying prevention and it should be noted on their IEP

- **The needs resulting from the student's unusual responses to sensory experiences**
  - Does the student exhibit under – or – over sensitivity to particular stimuli – tactile, visual, sound, smell/taste – if so then the Team should consider any environmental modifications or accommodations necessary for participation and effective progress in the curriculum

- **The needs resulting from resistance to environmental change or change in daily routines**
  - Will the student need support with managing changes and/or transitions in their routines or daily schedules – if so the Team must determine the most appropriate modality for the coming change or transition
• Visual supports, timers, and verbal reminders may help ease the student’s transition
• A visual schedule may allow a student with ASD to manage the activities of the day, reduce anxiety, and allow the student to focus on the important activities within each day, rather than on their sequence

- **The needs resulting from engagement in repetitive activities and stereotyped movements**
  - Does the student exhibit any ritualistic behaviors or repetitive phrases in activities or verbal exchanges – if so then the Team should consider their function and the extent to which these activities interfere with engagement in socialization or academic lessons
  - The Team should determine how and when to allow and/or modify the behavior within a student’s day – modifying behaviors with “replacement behaviors” more socially acceptable; using reinforcement strategies to reduce frequency of activities or movements and as an accompaniment to replacement behaviors

- **The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder**
  - Does the student require a Functional Behavioral Assessment (FBA) of their behaviors – if so an FBA which matches the intensity of the student’s behaviors will be completed
  - If intervention is required the Team should select the least amount of intervention likely to be effective, efficient, and produce the minimum unwanted effects
  - A behavior intervention plan will be implemented in the student’s IEP

- **Other needs resulting from the student's disability which impact progress in the general curriculum, including social and emotional development**
  - Does the student exhibit deficits in executive functioning, – if so then a request for a formal executive functioning assessment may take place to determine the student’s level of need and the interventions necessary to address it
  - The Team may determine the student requires additional consultant services provided by an outside consultant in the area of executive functioning
  - Does the student exhibit deficits in their ability to organize – if so then the Team may determine the student requires strategies provided by an outside consultant in the areas of organization for class work, homework, and long-term projects and/or tests to plan for IEP development to ensure all deficit skills are addressed.
Diman Regional Autism Checklist

During the development of an IEP for a student eligible for special education services under the category of Autism, the Special Education Team Chairperson will review the contents of this checklist with other Team members to determine whether services related to each area should be included in the IEP.

1. The verbal and nonverbal communication needs of the student: When considering the verbal and nonverbal communication needs of a student with ASD, the Team has reviewed:

   o the student's current level of communication,
   o the system of communication most effective for the student,
   o the functions for which the student uses and understands language,
   o the student's ability to use and understand non-verbal communication (e.g., eye gaze, facial expression, gesture), and any emerging communication skills reported by the family.

   Services needed: _____  Services not needed: _____

2. The need to develop social interaction skills and proficiencies: The Team has considered:

   o the student's ability to respond appropriately to the social approach of others,
   o the types of social interactions the student is capable of initiating,
   o the student's pragmatic language skills, and
   o anecdotal information about the student's abilities within small and large group settings and in typical activities for students of that age.

   Services needed: _____  Services not needed: _____

3. The needs resulting from the student's unusual responses to sensory experiences: The Team considered whether or not the student exhibits under- or over-sensitivity to particular stimuli, including tactile, visual, sound, visual, smell and taste.

   Services needed: _____  Services not needed: _____

4. The needs regarding all elements of the student's environment and note any specific environmental modifications or accommodations necessary for participation and effective progress in the general education curriculum. The Team discusses the needs resulting from resistance to environmental change or change in daily routines:

   Services needed: _____  Services not needed: _____
5. The needs resulting from engagement in repetitive activities and stereotyped movements: The Team discussed any ritualistic behaviors or repetitive phrases in physical activities and in verbal exchanges, the student might exhibit including:

- Preoccupation with one or more restricted and stereotyped patterns of interest atypical in either intensity or focus (e.g., knowing and reviewing the schedule of nationwide trains).
- Inflexible adherence to specific nonfunctional routines or rituals (e.g., repeating all answers 3 times) or a need to follow the same routine or sequence when completing tasks (e.g., tapping a spoon on the table between each mouth full of yogurt).
- Stereotyped/repetitive motor mannerisms (e.g., hand flapping) or a persistent preoccupation with parts of objects (e.g., fixating on the wheels of toy cars).

**Services needed:** _______  **Services not needed:** _______

6. The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder: The IEP Team discussed and considered the need for a functional behavioral assessment (FBA) of the student's behavior(s).

**Services needed:** _______  **Services not needed:** _______

7. Other needs resulting from the student's disability which impact progress in the general curriculum, including social and emotional development: The Team considered whether there is a need to provide structure in the student's classroom environment and learning activities, including but not limited to the following:

- Intervention strategies for social skill development (self-advocacy, peer interaction);
- Reviewing classroom and individual expectations;
- Organizational supports (including visual organizers such as color-coded folders and organized environments so the environment has limited distraction factors);
- Previewing information;
- Direct instruction in order to learn new skills or to generalize learned skills; and
- Repeated instruction and practice in multiple environments with a variety of materials and people, in order to master a single skill.

______________________________  __________________________
Signature/Role  Date
Anti-Bullying Checklist

Does the student feel safe at school? If not, why not? YES  NO

_________________________________________________________________________________

Is the school aware of the student being a target of bullying? Do educators believe the student could potentially become a target? Why? YES  NO

_________________________________________________________________________________

Are parents aware of any incidents of bullying against the student? When? Where? What was the nature of the bullying? Did the bullying occur in school (if so, where? e.g. hallway, cafeteria), out of school, on a transportation vehicle, or was it cyberbullying? When the parent addressed the question with the student, did the student understand bullying had taken place? YES  NO

_________________________________________________________________________________

Does the student have a clear understanding of what bullying is and is he or she able to identify bullying attempts (as well as teasing and harassment)? YES  NO

_________________________________________________________________________________

Does the student display particular verbal or nonverbal behavior making him/her more vulnerable to bullying? YES  NO

_________________________________________________________________________________

Does the student engage in behavior which might be identified as bullying? Is there concern any new or emerging behavior might be identified in this way? YES  NO

_________________________________________________________________________________

Given the specific nature and extent of the student’s disability, is the student able to conform to the school’s code of conduct relative to bullying prevention and intervention? YES  NO

_________________________________________________________________________________

Is the student able to access the general education curriculum, including the bullying prevention and intervention curriculum? YES  NO

_________________________________________________________________________________

Does the student have sufficient self-advocacy skills to obtain help/know what to do if he/she is bullied? YES  NO
What particular skills does the student need to develop to guard against becoming a target or to stop aggressive behaviors directed toward him/her?  YES  NO

Does the student have friends at school/in the community who would report bullying or defend the student if the student is subjected to bullying?  YES  NO

Is the student socially isolated? Does the student spend time physically removed from his or her peers? What has been done to integrate the student into the social life of the school during the school day and during extracurricular activities?  YES  NO

Does the student have someone he/she trusts at school to whom he/she may report bullying?  YES  NO

Does the student have an aide? If so, is this aide present during high-risk periods (e.g. lunch, recess)?  YES  NO  N/A

Are there times of day with less adult supervision and less structure where bullying is more likely to occur? Are there places in the building where bullying is more likely to occur?  YES  NO

Is there a Behavioral Intervention Plan for the student and, if so, is it being followed? Does it need to be amended to include new information regarding bullying prevention and intervention strategies?  YES  NO
Special Education Procedure:
SE 4 - Reports of Assessment Results

- Each person conducting an assessment shall summarize in writing the procedures employed, the results, and the diagnostic impression, and shall define in detail and in educationally relevant and common terms, the student's needs, offering explicit means of meeting them. Assessors may recommend appropriate types of placements, but shall not recommend specific classrooms or schools.
- Summaries of assessments completed prior to discussion by the Team and, upon request, are made available to the parent at least **two days** in advance of the Team discussion.

State Requirements
603 CMR 28.04(2)(c)
Assessments completed on students who enter Diman Regional as freshmen with an IEP, on students who tested due to a parent request, or students referred by Diman’s Student Success Team (SST) summarized in writing relevant and in language in plain speech.

The student’s academic needs and ways to meet outlined in the report(s) of the person completing the assessment(s). The assessor offers recommendations for placement and accommodations/modifications, but does not recommend specific classrooms or programs. The procedures employed, the results and the diagnostic impression, completed prior to discussion by the Team and copies made available to all Team members at least two days in advance of the Team meeting.
Special Education Procedure:
SE 5 - Participation in General State and District-Wide Assessments Programs

- All students with disabilities, including those enrolled in out-of-district placements, are included in the Massachusetts Comprehensive Assessment System (MCAS) and other district-wide assessment programs.
- The district’s IEP Teams designate how each student will participate and, if necessary, provide an alternate assessment.
- The superintendent of a school district or, for a public school program not part of a school district, the equivalent administrator;
  - files an MCAS performance appeal for a student with a disability when the student's parent or guardian or the student, if 18 or over, requests it, provided the student meets the eligibility requirements for such an appeal;
  - obtains the consent of the parent or guardian or the student, if 18 or over, for any MCAS performance appeal filed on behalf of a student with a disability;
  - includes in the MCAS performance appeal, to the extent possible, the required evidence of the student's knowledge and skills in the subject at issue.

State Requirements
St. 2003, c. 140, s. 119;

Federal Requirements
20 U.S.C. 1412(a)(16)
Procedure for Participation in General State and District-wide Assessments Programs
c. 140, s. 119

All students attending Diman Regional Vocational Technical High School, including those with disabilities, participate in the Massachusetts Comprehensive Assessment System (MCAS) starting in 10th grade. During the IEP meeting prior to the student’s 10th grade year the Team designates how each student will participate, the types of standard and/or non-standard accommodations will be provided for the student, and if necessary provide an alternate assessment option for the student. The student’s accommodations outlined in the student’s IEP on PLEP A for use in the student’s everyday instruction within the classroom.

In determining whether or not a student requires specific standard/non-standard accommodations the Team should consider the following:

- Can the student take the standard MCAS test under routine conditions?
- Can the student take the standard MCAS test with accommodations? If so, which accommodations are absolutely necessary in order for the student to participate?
- Does the student require an alternate assessment? (Alternate assessments are intended for a very small number of students with significant disabilities who are unable to take standard MCAS tests, even with accommodations.)
- A separate decision must be made for each subject scheduled for testing, and may be revised each time the team convenes.
- Student’s disability(ies) must be considered when determining MCAS accommodations.
- Reference to the DESE procedure manual for administering MCAS testing to students with disabilities must be referenced when the Team is unsure if an accommodation applies to a student. (attached)
- Only a student’s IEP Team can make decisions regarding test accommodations. It is the responsibility of the Director of Special Education to ensure each student is provided with all test accommodations listed on his or her IEP.
- It is the responsibility of the test Proctor to ensure each student in front of them for MCAS testing is receiving the listed accommodations on their IEP and no additional accommodations.

The Assistant Superintendent/Director Principal of Diman is responsible for filing a performance appeal for a student with a disability when the student’s parent/guardian or the student, if 18 or over, requests it, provided the student meets the eligibility requirements for such an appeal.

The Assistant Superintendent/Director Principal of Diman is responsible for obtaining consent from the parent or guardian or from the student, if 18 or over, for any MCAS performance appeal filed on behalf of a student with a disability.

The Assistant Superintendent/Director Principal of Diman is responsible for including in the MCAS performance appeal, to the extent possible, the required evidence of the student’s knowledge and skills in the subject at issue.

Diman monitors any use of the Alternate MCAS process to ensure compliance with the 1% participation limit.
Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests and Retests

Including Participation Requirements for Students with Disabilities and English Learners

August 2022
Purpose of This Manual

The purpose of this manual is to provide comprehensive information about the accommodations and accessibility policies that apply to MCAS testing, as well as information about testing English Learners. This manual goes beyond the information provided in the MCAS Principal’s Administration Manual (PAM).

Intended Audience and Recommended Use

Classroom teachers, special educators, 504 coordinators, IEP team chairs, and school administrators should familiarize themselves with the MCAS accessibility and accommodations policies in this manual in order to understand the use of supports for student participation in MCAS.

This manual provides guidance and information about the following topics:

- MCAS participation requirements for students with disabilities, students who are English learners (ELs), and ELs with disabilities
- which students with disabilities should be considered for an alternate assessment (MCAS-Alt)
- the availability, selection, and use of
  - universal accessibility features, which provide tools and supports for all students
  - designated accessibility features intended for all students, but which must be authorized by the principal
  - test accommodations for students with disabilities and students who are ELs.

Schools may request guidance from the Department throughout the year as they plan for the use of test accommodations and other supports for the students who need them. Please contact Student Assessment Services at mcas@doe.mass.edu or 781-338-3625 with any questions.
Appendix A

Procedures for Scribing and Transcribing Student Responses

A human scribe (A10.1, EL4.1, SA3.1) or speech-to-text (A10.2, EL4.2, SA3.2) are accommodations that allow students to either provide their responses orally to a test administrator who will write or keyboard the responses directly onscreen (or into the student’s test booklet) or into a speech recognition device that converts spoken words into text. Students who receive this accommodation may respond to test questions either through:

- verbal dictation to a human scribe
- a speech-to-text device or other augmentative/assistive communication device (e.g., picture/word board)
- signing (e.g., American Sign Language, signed English, Cued Speech),
- gesturing or pointing
- eye-gazing

Guidelines for Administering the **Human Scribe** Accommodation (A10.1, EL4.1, SA3.1)

- A scribe may administer this accommodation only to **one student at a time** during a test session. The student must be tested in a separate setting.
- If scribing responses into a paper-based booklet, the scribe must produce legible text. For computer-based tests, the scribe will type directly into the student’s computer-based test.
- The scribe must transcribe the student’s responses verbatim and may not prompt, correct, or question the student regarding the content of the responses.
- The scribe may request that the student restate (or sign) words, phrases, or sentences, as needed. The scribe may not edit or alter the student’s dictated response in any way.
- A student using a scribe must be given the same opportunities as other students to plan and draft a written response. The scribe may write an outline, plan, or draft as directed by the student, and must record the draft response or outline exactly as dictated.

Additional guidance for scribing ELA tests and retests (SA3.1):

- The scribe will write verbatim student responses on paper or on screen in an area where the student’s answers will not be accessible to others.
- The scribe will correctly spell all words as dictated.
- The scribe will not capitalize words or punctuate text; rather, scribes should request clarification from the student about the use of capitalization, punctuation, and must allow the student to review and edit what the scribe has written.
- The scribe will orally confirm spelling of homonyms and commonly confused homophones, e.g., than and then; to, two, and too; there, their, and they're.
- The student will proofread to add punctuation, capitalization, formatting, and other edits.
- The scribe will make student requested changes, even if incorrect.
• The student will confirm the correctness of the response.
• After the student has finished dictating his or her response(s), the scribe must:
  o ask the student to review the draft and make any necessary edits, including capitalization,
    punctuation, and paragraph breaks.
  o either allow the student to make edits independently or direct the scribe to make the edits.
  o not assist the student in making decisions during the editing process.

**Guidelines for Transcribing Student Responses**

Circumstances may occur during test administration that may require a test administrator to transcribe a
student’s responses into a test & answer booklet or onscreen. Transcribing responses by a test
administrator may occur at any time until the end of the testing window under secure conditions
supervised by the principal (or designee). These situations may include:

• answers recorded in the wrong section of (or in an incorrect) test & answer booklet or
  computer-based test.
• a student took the test using a special test format requiring that answers be transcribed; e.g.,
  Braille, large-print. (Braille responses must be transcribed by persons fluent in Braille.)
• a student uses speech-to-text software, or augmentative communication, or an assistive
  technology device (that is not compatible with TestNav) and prints responses for transcription
  by a test administrator.
• A student recorded answers on blank paper, instead of in the required test & answer booklet or
  computer-based test, as an accommodation.
• The test & answer booklet or document becomes unusable; e.g., torn, wrinkled, or
  contaminated.

In cases where a student’s responses must be transcribed after test administration is completed, the
following steps must be followed:

• at least two persons must be present during any transcription of a student’s responses. At least
  one of the individuals must be an authorized test administrator; the other a principal or
  designee.
• the student’s response must be transcribed verbatim into the combined test & answer booklet
  (or separate answer booklet for legacy tests) or computer-based test.
• the student’s original printed responses must either be securely shredded or returned with the
  school’s nonscorable materials.

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*Massachusetts Department of Elementary and Secondary Education*
APPENDIX B
Sample Form

Documentation of MCAS Accommodations for an EL Student

Use this form or a locally developed form to document the selection of MCAS accessibility features and accommodations for each EL student. Available accessibility features and accommodations are listed in the Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests and Retests. This form or the locally developed form should be completed within 60 days of the start of school year or student’s date of enrollment and must be updated annually. If the EL is a student with a disability, accommodations decisions for EL students with disabilities must also be documented in the student’s IEP or 504 plan.

<table>
<thead>
<tr>
<th>Student Name:</th>
<th>School Year:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade:</td>
<td>SASID:</td>
</tr>
<tr>
<td>School:</td>
<td>District:</td>
</tr>
</tbody>
</table>

Name of staff and others who determined the test accommodations and features for the student:

Educators(s):

Parent(s) or other team members:

If the parent and/or student were not part of the decision-making process, then they should be notified of the features and accommodations the student will receive on the tests.

Directions: Indicate below the accessibility features and accommodations that will be provided to the student on MCAS tests.

<table>
<thead>
<tr>
<th>Accessibility Feature or Accommodation Needed by the EL Student for Testing</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Continue on additional pages as needed.)

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APPENDIX C
Sample Form (Optional)

Student Accommodation Refusal

If a student refuses an accommodation listed in their IEP or 504 plan, the school should document in writing that the student refused the accommodation, and the accommodation must be offered and remain available to the student during testing.

This form can be completed and placed in the student's file, and a copy sent to the parent. IEP teams, 504 plan coordinators, and educators making MCAS accommodations decisions for ELs should consider this information when making future accommodations decisions for the student. Use of this form is encouraged, but not required.

<table>
<thead>
<tr>
<th>Student Name: ____________________________</th>
<th>Date: ____________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade: ____________________________________</td>
<td>SASID: __________________________</td>
</tr>
<tr>
<td>School: ____________________________________</td>
<td>_____________________________</td>
</tr>
<tr>
<td>District: _________________________________</td>
<td>_____________________________</td>
</tr>
<tr>
<td>MCAS Test: _______________________________</td>
<td>_____________________________</td>
</tr>
<tr>
<td>Test Administrator: ________________________</td>
<td>_____________________________</td>
</tr>
<tr>
<td>Accommodation(s) refused by student: _____</td>
<td>_____________________________</td>
</tr>
<tr>
<td>Reason for refusal: ________________________</td>
<td>_____________________________</td>
</tr>
<tr>
<td>Comments: __________________________________</td>
<td>_____________________________</td>
</tr>
</tbody>
</table>

Keep this form on file at the school.
Do not submit this form with your school's test materials.

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# APPENDIX D

## Submitting Customized Materials for Approval
for MCAS Science and Technology/Engineering Tests

**Instructions:** This cover sheet must accompany all requests for approval to use customized materials for accommodation A9. Customized material may only be used on MCAS STE tests in grades 5, 8, and high school. Please complete and submit this form to the Department’s Student Assessment Services Office by email to mcas@doe.mass.edu.

Materials submitted after the deadline(s) shown below may not be reviewed before the testing window begins.

Responses will be sent approximately ten school days after a request is received. Please contact the Student Assessment Services Unit at 781-338-3625 with any questions. Retain documentation on file for three years.

### Contact Information

<table>
<thead>
<tr>
<th>Name:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Name:</td>
<td>District Name:</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>Fax Number:</td>
</tr>
<tr>
<td>Email:</td>
<td>Resubmittal (Check one): □ Yes □ No</td>
</tr>
</tbody>
</table>

### Accommodation A9 Customized Materials Submitted

Place a check mark next to each material being submitted for approval.

- □ Legacy STE or Other Checklist
- □ STE Reference Sheet

### MCAS TEST ADMINISTRATION

Place a check mark next to each test administration for which the material will be used.

(Submission deadline in parentheses)

- □ February Biology and Introductory Physics (1/6/2023)
- □ High School STE (4/28/2023)
- □ Grades 5 and 8 STE (3/3/2023)

### Principal or Designee Statement

The principal or designee of the school must sign below to acknowledge the following:

I have reviewed the Department’s policy for administering customized materials for accommodation A9.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>(or Electronic Signature):</td>
<td>Date:</td>
</tr>
</tbody>
</table>

**Approval/Denial of Request – For Department Use Only**

| Database number: | Date Received | Date of Response | □ Email | □ |
|-----------------|---------------|------------------|---------|
| Fax             |               |                  |         |   |

- □ Approved
- □ Approved with Changes
- □ Denied
- Date Reviewed

---

*Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests*

Massachusetts Department of Elementary and Secondary Education
VI. MCAS Accessibility and Accommodations for EL Students

In addition to the accessibility features listed elsewhere in this manual, several accommodations are also available to ELs, as described in Table 6. Table 7 describes the relative suitability of each accommodation for students who are at beginning, intermediate, and advanced levels of English proficiency.

A. Individuals Involved in Selecting Accessibility Features and Accommodations for EL Students

Decisions about which universal and designated accessibility features, and which accommodations, are appropriate for an EL student should be made by a group of educators familiar with the student. The decisions of the decision-making team must be documented using either the sample form for Documentation of MCAS Accommodations for an EL Student provided in Appendix B, or using a similar, locally designed form.

Individuals involved in the decision-making process may include any of the following:

- the student
- the student’s English as a Second Language (ESL) educator
- school administrator (principal/assistant principal)
- general educator (content area teacher)
- special educator (if appropriate)
- parent or guardian

Decision-making teams are encouraged to determine appropriate accessibility features and accommodations for EL students as early as possible in the school year to ensure that the student is familiar with their use. The student should not be introduced to an accessibility feature or accommodation on the day of the assessment. Accessibility features and accommodations are intended to remove barriers and allow EL students to demonstrate their knowledge and skills more effectively.

B. Guidelines for Selecting and Evaluating Accessibility Features and Accommodations for EL Students

Because a student’s level of English language proficiency is transitional, and the student’s linguistic needs will differ from one year to the next, universal and designated accessibility features and accommodations should be examined and revised annually as the EL student makes progress toward attaining English proficiency.

1. Decision-Making Procedures

The following procedures may be used to make appropriate decisions regarding the selection of accessibility features and accommodations for EL students:

- After examining the range of supports allowed on MCAS tests that may help the EL student access the curriculum and take assessments more effectively, the student’s classroom teacher should consider the following:
o Has a particular accessibility feature and/or accommodation been used successfully in the past to assist students in similar situations and at similar English proficiency levels?

- After trying out the selected supports during routine instruction to determine whether they meet the student’s needs, the teacher should consider the following questions:
  - Does the feature and/or accommodation help the student overcome the barriers posed by developing English language proficiency?
  - Is the student comfortable using the feature or accommodation?

- The teacher should observe the student using the accessibility feature or accommodation in the classroom (or if possible, across different classrooms and school settings) and inform members of the decision-making team which accessibility features or accommodations seem appropriate and effective.

- Based on the accessibility feature(s) and/or accommodations listed in this manual that were used successfully in the classroom, the teacher can select the appropriate features and/or accommodations for use on the MCAS tests.

- The teacher should document the final decisions on the use of specific accessibility features or accommodations, either on the sample form provided in Appendix B or using a similar locally developed form, and maintain this information in the student’s file.

2. Invoking Students in Selecting and Using Accommodations

The more an EL student is involved in the accommodation selection process, the more likely the accommodations are to be accepted and used by the student. As students’ English proficiency increases, and especially as students reach adolescence and the desire to be more independent increases, students can help determine when the support is no longer useful. Students are likely to increase their self-advocacy abilities over time and ensure that they receive the selected supports during testing. Teachers and other adults should play a role in assisting students to advocate on their own behalf regarding their need for and use of accessibility features and accommodations.

It is important to introduce the use of selected features and accommodations as early as possible in the school year to familiarize students with their use and determine their effectiveness. Accommodations should not be introduced for the first time on a statewide assessment.

C. Accommodations for Students Who Are English Learners (ELs)

In addition to universal features and designated features available to all students, the accommodations listed in Table 6 are available to all ELs, with and without disabilities, on MCAS tests.

Note that some EL accommodations must be designated in the Student Registration/Personal Needs Profile (SR/PNP) in PearsonAccess<sup>next</sup>. The names of accommodations and the process for their selection in the SR/PNP are identical to accommodations for students with disabilities, although the EL accommodations have unique codes (e.g., EL1.).

Table 6. Accommodations for Students Who Are ELs

Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests
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33
<table>
<thead>
<tr>
<th>#</th>
<th>Accommodations for EL Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>EL1 (SR/PNP)</td>
<td>Paper-based editions of MCAS tests may be administered to a first-year EL student (i.e., a student in their first calendar year of enrollment in a U.S. school) with a low level of English proficiency, or an EL who has little or no familiarity with technology. (Note: Administering the ELA test to a first-year EL student is optional)</td>
</tr>
<tr>
<td>EL2</td>
<td>Approved Bilingual Word-to-Word Dictionary and Glossary (English/Native language) (Note: this accommodation is also available to former ELs)</td>
</tr>
</tbody>
</table>
| EL3.1 (SR/PNP) and EL3.2 (SR/PNP) and EL3.3 (SR/PNP) | Text-to-speech (TTS) (EL3.1) for computer-based Mathematics, grades 5 and 8 Science and Technology/Engineering, and/or high school Biology or Introductory Physics (STE); or Human read-aloud (EL 3.2) for computer-based or paper-based Mathematics; Science and Technology/Engineering tests; or Kurzweil 3000 (EL3.3) for legacy paper-based high school Science and Technology/Engineering tests (Chemistry and Technology/Engineering)  
  - If administering the paper-based test with a human reader, the test must be read word-for-word in English, exactly as written. The test administrator may not provide assistance to the student regarding the translation or meaning of words. The test administrator should read with emphasis only when indicated by bold or italicized text.  
  - If a human reader is used, the test must be administered in a separate setting either individually or to a group of 2–5 students all of whom are receiving the human reader accommodation.  
  - A student using the TTS-enabled English-only edition of the computer-based test with headphones may be tested in a typical-size group. If not using headphones, then student must be tested in a separate setting.  
  Note: Reading aloud selected words on the Mathematics and/or Science and Technology/Engineering tests is UF11. (See Table 1.) |
| EL4.1 (SR/PNP) and EL4.2 (SR/PNP) | Scribe or speech-to-text for Mathematics test responses, and/or STE test responses, consisting either of:  
  - human scribe (EL4.1), who records student’s responses verbatim at the time of testing. See Appendix A for specific guidance on providing the scribe accommodation; or  
  - a speech-to-text (EL4.2) program that converts voice to written text, used under the direct supervision of a test administrator to generate responses to test questions.  
  Students using the speech-to-text accommodation for the grade 5 and 8 STE tests, and high school Biology, will be able to use an embedded speech-to-text “web extension” that functions within TestNav. This assistive technology is compatible with TestNav and will allow students to dictate their responses directly into the computer-based test without using a separate adjacent (external) device.  
  The embedded web extension is not available to ELs on the ELA tests; nor does the speech-to-text web extension function on the Mathematics and Introductory Physics computer-based tests due to incompatibility with the Equation Editor answer box used for open responses on those tests. Refer to the Guidelines for Using Assistive Technology as an MCAS Test Accommodation for a step-by-step guide to accessing and using this feature. |
| EL5 | Test administrator reads aloud/repeats/clarifies general administration directions in English (from the Test Administration Manual scripts) |
Table 7 provides guidance regarding the suitability of EL accommodations based on the English language proficiency (ELP) level of the student.

Table 7. Guidance on Selecting Accommodations for English Learners

<table>
<thead>
<tr>
<th>#</th>
<th>Accommodation</th>
<th>Most Likely to Benefit English Language Learners at the Following ELP Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>E1</td>
<td>Paper-based editions of the next-generation tests may be administered to a first-year EL student (i.e., in the first calendar year of enrollment in a U.S. school) with a low level of English proficiency and/or no familiarity with technology.</td>
<td>○</td>
</tr>
<tr>
<td>E2</td>
<td>Approved bilingual word-to-word dictionary and glossary (English/Native Language)</td>
<td></td>
</tr>
<tr>
<td>E3.1</td>
<td>Text-to-speech (EL3.1) for the computer-based Mathematics or Science Technology/Engineering (STE) tests (in English only); OR Human read-aloud (EL3.2) for Mathematics or STE tests or (EL3.3) Kurzweil for legacy paper-based high school Science and Technology/Engineering tests (Chemistry and Technology/Engineering)</td>
<td>○</td>
</tr>
<tr>
<td>E3.2</td>
<td></td>
<td>○</td>
</tr>
<tr>
<td>E3.3</td>
<td></td>
<td>○</td>
</tr>
<tr>
<td>E4.1</td>
<td>Human scribe (EL4.1) or speech-to-text (EL4.2) for Mathematics and/or Science and Technology/Engineering test responses</td>
<td>○</td>
</tr>
<tr>
<td>E4.2</td>
<td></td>
<td>○</td>
</tr>
<tr>
<td>E5</td>
<td>Test administrator reads aloud/repeats/clarifies general administration directions in English</td>
<td></td>
</tr>
<tr>
<td>E6</td>
<td>Test administrator reads aloud/repeats/clarifies general administration directions in student’s native language</td>
<td>○</td>
</tr>
<tr>
<td>E7</td>
<td>Spanish/English version of the Grade 10 Mathematics test/retest, High School Biology or Introductory Physics</td>
<td>○</td>
</tr>
</tbody>
</table>

**KEY for Table 7:**
- ● Highly recommended for use by English learners at this ELP level
- ○ Recommended for use by English learners at this ELP level
- ○ May not be appropriate for students at this ELP level

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Massachusetts Department of Elementary and Secondary Education
Table 5. **Special Access Accommodations** for Students with Disabilities

<table>
<thead>
<tr>
<th>#</th>
<th>Computer- and Paper-Based Tests</th>
</tr>
</thead>
</table>
| **SA1.1 (SR/PNP)** and **SA1.2 (SR/PNP)** | **Text-to-speech** (SA1.1) or **Human read aloud** (SA1.2) for ELA tests, including oral presentation of test questions, response options, and passages.  
- text-to-speech may be used either with or without headphones;  
- a human reader may either read aloud 1) the **computer-based test** logged in to a nearby computer or sitting next to the student; or 2) the **paper-based test**.  

This accommodation is intended for a very small number of students with disabilities that severely limit or prevent them from reading, as documented in locally administered diagnostic evaluations.  

The student must meet all of the following criteria:  
- be **virtually unable to read**, even after varied and repeated attempts to teach the student to do so (i.e., the student is at the beginning stages of learning to read, and not simply reading below grade level), as determined by locally administered diagnostic evaluations (reading below the second grade-level); and  
- receive **ongoing intervention** to learn the skill of reading; and  
- use this accommodation routinely (except during instruction in learning to read).  

The human read aloud (SA1.2) may also be provided to a student who is blind or has a visual impairment and uses a screen reader and/or has not yet learned (or is unable to use) Braille on the tests and retests listed above. If the student will use a screen reader, a separate hard copy Braille test edition will be sent to the school to allow the student to access the appropriate Braille graphics (see accommodation A3.1).  

The student  
- may be tested in a typical-sized group if using text-to-speech with headphones;  
- must be tested individually in a separate setting if text-to-speech will be used without headphones; and  
- may be tested in a group of up to five students if a human reader will be used. |
| **SA2 (SR/PNP)** | **Human sign for ELA tests or retests**, including reading passages, questions, and answer options, for a student who is Deaf or Hard-of-Hearing  

This accommodation is intended for students who are Deaf or Hard-of-Hearing, and who are severely limited or prevented from reading, as documented in locally administered diagnostic evaluations.  

The student must meet all the following criteria:  
- be **virtually unable to read** (i.e., decode text), even after varied and repeated attempts to teach the student to do so (i.e., the student is at the very beginning stages of learning to read, and not simply reading below grade level), due to a documented disability and/or history of early and prolonged lack of exposure to and use of language; and  
- uses this accommodation routinely, except during reading instruction; and  
- receives ongoing intervention to learn the skill.  

The student must be tested in a group of no more than five students, unless approval is obtained from the Department to increase the group size in rare circumstances.

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*Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests  
Massachusetts Department of Elementary and Secondary Education*
## Special Access Accommodations

<table>
<thead>
<tr>
<th>#</th>
<th>Computer- and Paper-Based Tests</th>
</tr>
</thead>
</table>
| **SA3.1** (SR/PNP) | **Scribe responses for the MCAS ELA tests and retests:**  
A human scribe (SA3.1) who will record the student’s responses verbatim (i.e., as dictated by the student) at the time of testing, either onscreen (computer-based test) or in the student’s test & answer booklet (paper-based test).  
- The student must be tested in a separate setting.  
- Test administrators (and/or sign interpreters) who review the test will be asked to sign non-disclosure agreements (See Appendix A for specific guidance on providing the scribe accommodation).  

This accommodation is intended for students who have documented significant motor or processing difficulties, or who have had a recent injury (such as a broken hand or arm) that makes it difficult to produce responses and need to dictate their responses to a human, who then records the students’ responses verbatim. For many of these students, dictating to a scribe is the only way to demonstrate their composition skills. It is important that these students be able to develop planning notes via the scribe, and to view what they produce while composing via dictation. |
| **SA3.2** (SR/PNP) | **Speech-to-text (SA3.2) for MCAS ELA tests and retests:**  
Students using this special access accommodation use a speech recognition program that converts voice to written text.  
- For the CBT ELA test, students will be able to use an embedded speech-to-text web extension that functions within TestNav. This embedded assistive technology will allow students to dictate their responses directly into the computer-based test without using a separate adjacent (external) device. Refer to Guidelines for Using Assistive Technology as an MCAS Test Accommodation for a step-by-step guide on accessing and using this feature.  
  - The Web Extension AT SR/PNP designation must be selected in PearsonAccessTest for this embedded tool.  
  - If students use their own AT devices, all assessment content must be deleted from these devices after the test for security purposes.  
- Speech-to-text technology requires that the student go back through all generated text to correct errors in transcription, including use of writing conventions; thus, prior experience with this accommodation is essential.  

This accommodation is intended for students who have documented significant motor or processing difficulties, or who have had a recent injury (such as a broken hand or arm) that makes it difficult to produce responses and need to dictate their responses into a voice/speech-to-text device. For many of these students, dictating is the only way to demonstrate their composition skills. It is important that these students be able to develop planning notes, and to view what they produce while composing via dictation. |

*Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests*

Massachusetts Department of Elementary and Secondary Education
<table>
<thead>
<tr>
<th>#</th>
<th>Special Access Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Computer- and Paper-Based Tests</td>
</tr>
<tr>
<td></td>
<td>Calculation device or other mathematics tool (including addition/subtraction or multiplication/division tables; or manipulatives) on the non-calculator session of the Mathematics test or retest</td>
</tr>
<tr>
<td></td>
<td>• Students taking the CBT test will be able to use an embedded calculator.</td>
</tr>
<tr>
<td>SA4</td>
<td>This accommodation is intended for a small number of students with documented disabilities that severely limit or prevent them from performing basic calculations without a calculation device or other mathematics tool, as documented in locally administered diagnostic evaluations, even after varied and repeated attempts to teach the student to do so.</td>
</tr>
<tr>
<td></td>
<td>The student must meet all of the following criteria:</td>
</tr>
<tr>
<td></td>
<td>• be <strong>virtually unable to calculate</strong> (i.e., unable to perform single-digit addition, subtraction, multiplication, or division without a calculation device or other mathematics tool); and</td>
</tr>
<tr>
<td></td>
<td>• uses the calculation device or tool during routine instruction in mathematics; and</td>
</tr>
<tr>
<td></td>
<td>• receives ongoing intervention to learn the skill.</td>
</tr>
<tr>
<td></td>
<td>The student’s IEP or 504 plan must specify which calculation device or tool will be used (e.g., calculator or multiplication table).</td>
</tr>
<tr>
<td></td>
<td>Manipulatives and other mathematics tools (excluding calculators and arithmetic tables) must be approved by the Department prior to their use on MCAS tests. Please contact Student Assessment Services at 781-338-3625 or <a href="mailto:mcas@doe.mass.edu">mcas@doe.mass.edu</a> to request approval.</td>
</tr>
<tr>
<td></td>
<td>Spell-checker for the ELA test and retest, including an external spell-checking device for the paper-based test; or in conjunction with the typed response accommodation for the paper-based test</td>
</tr>
<tr>
<td></td>
<td>• Students taking the CBT test will be able to use an embedded spell-checker tool.</td>
</tr>
<tr>
<td>SA5</td>
<td>This accommodation is intended for a small number of students with disabilities that severely limit or prevent them from spelling correctly, even after varied and repeated attempts to teach the student to do so.</td>
</tr>
<tr>
<td></td>
<td>The student must meet all of the following criteria:</td>
</tr>
<tr>
<td></td>
<td>• be <strong>unable to spell simple words</strong> (i.e., at the beginning stages of learning how to spell), as documented by locally administered diagnostic evaluations; and</td>
</tr>
<tr>
<td></td>
<td>• produces understandable written work only when provided this accommodation, which the student uses during routine instruction; and</td>
</tr>
<tr>
<td></td>
<td>• receives ongoing intervention to learn the skill.</td>
</tr>
<tr>
<td></td>
<td>The student may not use grammar check or access the internet during the test.</td>
</tr>
<tr>
<td>#</td>
<td>Computer- and Paper-Based Tests</td>
</tr>
<tr>
<td>----</td>
<td>--------------------------------</td>
</tr>
</tbody>
</table>
|    | **Word prediction for the ELA test and retests:** Word prediction provides a student with a choice of frequently used words after the student types the first few letters of a word.  
  Students using the word prediction special access accommodation for the ELA test will be able to use an embedded word prediction web extension that functions within TestNav. This embedded assistive technology will allow students to use word prediction assistive technology within TestNav without using a separate, adjacent (external) device. Refer to the [Guidelines for Using Assistive Technology as an MCAS Test Accommodation](#) for a step-by-step guide on accessing and using this feature.

For paper-based tests, a word prediction application must be used at a separate external computer station, and a test administrator or the student must transcribe the selected word(s) into the student’s answer booklet. (See Appendix A for information and guidelines on transcribing student responses.)

This accommodation is intended for a small number of students who:

1. have a disability that **severely limits or prevents them from recalling and processing language** in order to generate written responses; AND
2. can access written expression only through the use of word prediction software, application, or device during routine instruction in order to generate written responses.

Test administrators who review the test will be asked to sign nondisclosure acknowledgment forms.

During testing, internet access must be turned off/restricted; and functions that **automatically** select words for the student must be turned off.
V. MCAS Participation Requirements for Students Who Are English Learners (ELs)

EL students must participate in all MCAS tests scheduled for their grades, regardless of the language program and/or services they are receiving or the amount of time they have been in the United States, with one exception: spring 2023 ELA testing is optional for EL students who enrolled in U.S. schools after March 1, 2022 and who were not reported in the March 2022 SIMS report.

Schools may choose to administer the MCAS ELA tests to first-year ELs and must administer the ACCESS for ELLs test to first-year and all other EL students, even those who have opted out of English language programs and services. First-year EL students must also participate in MCAS Mathematics and Science and Technology/Engineering tests, although results will be reported for diagnostic purposes only and students’ results will not be included in school and district summary results or in state accountability reporting. For first-year ELs who participate in ELA testing, results will be provided at the school level and will be used for Competency Determination purposes for grade 10 students.

<table>
<thead>
<tr>
<th>EL Participation Requirements for Spring 2023 MCAS Tests</th>
<th>Content Area Test</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ELA</td>
</tr>
<tr>
<td>First-Year EL Students1</td>
<td>Optional</td>
</tr>
<tr>
<td>All Other Students</td>
<td>Required</td>
</tr>
</tbody>
</table>

1 Results for first-year EL students are not included in MCAS school and district summary results.
2 Optional, provided that the student has participated in ACCESS for ELLs testing.

Questions regarding the Identification screening, placement, and reclassification of EL students should be directed to the Office of English Language Acquisition and Academic Achievement at 781-338-3584 or via email at el@doe.mass.edu. For additional details, refer to the Guidance on Identification, Assessment, Placement, and Reclassification of English Learners.

Foreign Exchange Students

Foreign exchange students who are coded in SIMS as #11 under “Reason for Enrollment” in grades 3–8 and 10, regardless of whether they are determined to be English learners, are required to participate in the MCAS tests specified for the grade in which they are reported. These students are also required to participate in ACCESS for ELLs testing if they are reported in SIMS as English learners.
Response Accommodations

for Department approval (see Appendix E)

- Individualized STE reference sheets for the following tests may be submitted to the Department for approval according to the schedule below.

<table>
<thead>
<tr>
<th>Test Administration Date</th>
<th>MCAS Test</th>
<th>Reference Sheet Submission Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 2023</td>
<td>February Biology and Introductory Physics</td>
<td>January 6, 2023</td>
</tr>
<tr>
<td>April 2023</td>
<td>Grades 5 and 8 STE</td>
<td>March 3, 2023</td>
</tr>
<tr>
<td>June 2023</td>
<td>High School STE</td>
<td>April 28, 2023</td>
</tr>
</tbody>
</table>

For the tests/retests listed in the table above:

- Students may continue to use individualized STE reference sheets and checklists provided they have been submitted and approved by the Department prior to testing.
- Individualized reference sheets approved prior to the 2020–2021 school year must be resubmitted for approval for use on the 2022–2023 STE tests.
- All individualized organizers, checklists, and reference sheets submitted for approval must be accompanied by a completed cover sheet (see Appendix E).

Scribe responses (A10.1) for the Mathematics and/or Science and Technology/Engineering tests and retests using:

- Human scribe who will record the student’s responses verbatim (i.e., as dictated by the student) at the time of testing, either onscreen (computer-based test) or in the student’s test & answer booklet (paper-based test). The student must be tested in a separate setting. Test administrators (and/or sign interpreters) who review the test will be asked to sign nondisclosure acknowledgment forms. (See Appendix A for specific guidance on providing the scribe accommodation.)

For students unable to use their hand to respond to test questions due to a recent injury or recovery from surgery, the scribe accommodation may be provided, if:

- this is listed in a 504 plan or an approved IEP (Department approval is not required); OR
- if a 504 plan is under development, and the staff responsible for writing the plan have already met and agreed upon the need for the scribe accommodation before providing it to the student.
<table>
<thead>
<tr>
<th>Response Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td>A10.2 (SR/PNP)</td>
</tr>
<tr>
<td><strong>Speech-to-text</strong> (A10.2); a voice recognition program or device that converts speech into text (other than a smartphone) used to generate responses.</td>
</tr>
<tr>
<td>• Students using the speech-to-text accommodation for the following computer-based tests — grades 5 and 8 STE tests or high school Biology — will be able to use an embedded speech-to-text web extension that functions within TestNav. The Web Extension AT SR/PNP designation must be selected in PearsonAccessText for this embedded tool.</td>
</tr>
<tr>
<td>o The web extension for speech-to-text does not function on Mathematics or Introductory Physics computer-based tests due to its incompatibility with the Equation Editor answer box used for open responses. Refer to the <em>Guidelines for Using Assistive Technology as an MCAS Test Accommodation</em> for a step-by-step guide to accessing and using this feature.</td>
</tr>
<tr>
<td>• Students may need to use their own AT speech-to-text devices (for mathematics tests) that are not embedded in TestNav; if students use their own AT devices, all assessment content must be deleted from these devices after the test for security purposes.</td>
</tr>
<tr>
<td>• Speech-to-text technology requires that the student go back through all generated text to correct errors in transcription, including use of writing conventions; thus, prior experience with this accommodation is essential.</td>
</tr>
<tr>
<td>• Students who use speech-to-text will need headphones/whisperphones unless tested individually in a separate setting.</td>
</tr>
</tbody>
</table>

| Responses recorded by student on special paper. |
| Responses must be transcribed into the student’s computer-based tests. Anytime during the testing window. |
| If the student transcribes their own responses, then transcription must occur during the test session and be completed on the day in which the test session began. |
| See Appendix A for guidelines on transcribing student responses. |

| Responses recorded by student on special paper, rather than in the test & answer booklet. |
| Responses must be transcribed into the student’s test & answer booklet by a test administrator anytime during the testing window. |
| If the student transcribes his or her own responses, then transcription must occur during the test session and be completed on the day in which the test session began. |
| See Appendix A for guidelines on transcribing student responses. |

| A12 (SR/PNP) |
| N/A |

| A13 |
| Student records responses on a recording device (other than a smartphone) for the purpose of playing back and transcribing recorded segment(s). Student may use text-to-speech. |

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Massachusetts Department of Elementary and Secondary Education
<table>
<thead>
<tr>
<th>Response Accommodations</th>
</tr>
</thead>
<tbody>
<tr>
<td>A14 Responses signed onto video (for a student who is Deaf or Hard-of-Hearing), then transcribed by the student onscreen or into the answer booklet during playback. The video must be deleted after transcription.</td>
</tr>
<tr>
<td>A15 Monitor placement of responses in the appropriate area onscreen or in the test &amp; answer booklet by the test administrator</td>
</tr>
<tr>
<td>A16 Refreshable Braille Display/Braille note-taker (specific external device used in conjunction with screen reader for student who is blind or has a vision impairment). A hard-copy edition of the Braille test must also be ordered.</td>
</tr>
<tr>
<td>A17 Braille writer (specific external device used in conjunction with screen reader and hard-copy Braille test)</td>
</tr>
</tbody>
</table>

**Braille note-taker** (specific external device used in conjunction with hard-copy Braille test)

*Note: Braille notes should be returned with the school's nonscorable shipment.*

**Braille writer** (specific external device used in conjunction with the hard-copy Braille test). A printout of each response may be generated and inserted in the student's test & answer booklet, with all required information on each page (also see the Principal's Administration Manual).

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A note regarding the transcription of student responses: The process of transcribing student responses onscreen or into test & answer booklets by a test administrator (e.g., from the large-print answer booklet) may occur at any time during the testing window, and must be monitored and supervised by the principal, test coordinator, or another test administrator. Details on transcribing responses are provided in Appendix A.

9. **Special Access Accommodations for Students with Disabilities**

Special access accommodations are intended for use by a very small number of students with the most significant cognitive disabilities who would not otherwise be able to access the test because a disability severely limits or prevents them from performing the skill in question. **Teams must exercise caution when considering whether a student requires a special access accommodation, since these accommodations may alter part of what the test is designed to measure.** Teams must carefully review the guidelines and criteria described for each special access accommodation listed in Table 5.

Test results for students who took the test using special access accommodations should be interpreted with caution. Parents and schools should not infer that the student has expertise in the skill being accommodated. A notation will accompany the results of students who use a special access accommodation.

The Department will review each district’s rate of use of special access accommodations. To ensure that IEP teams and 504 plan coordinators carefully review and apply appropriate criteria for use of special access accommodations, districts must do the following:

- train members of IEP teams and 504 plan coordinators on the guidelines for the selection and use of accommodations, including special access accommodations, listed in Table 5; and

*Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests*

Massachusetts Department of Elementary and Secondary Education
• revise the IEPs and 504 plans of students with disabilities as needed.

Although test accommodations should generally be consistent with accommodations used for instruction, the use of a special access accommodation during instruction does not automatically qualify a student to receive the same accommodation on an MCAS test, unless the student meets the guidelines and criteria described on the following pages.

IEP and 504 teams are encouraged to make consistent, appropriate, and defensible decisions regarding the use of special access accommodations for each student based on locally administered diagnostic assessments, and to amend the IEPs and 504 plans of students who have been previously designated for special access accommodations, but who do not meet the criteria listed in Table 5.
Unique accommodations may not:

- fundamentally change the test or the construct being measured by the test,
  OR
- assist the student to obtain the answers to test questions,
  OR
- violate test security requirements.

The school may request approval (via email) for use of a unique accommodation by submitting the request to mcas@doe.mass.edu at least two weeks prior to testing. If approved by the Department, the IEP or 504 plan of the student must be amended.

7. Process for Selecting and Evaluating MCAS Accessibility Features and Accommodations for Students with Disabilities

Accommodations are intended to offset the effects of a disability to allow a student to participate effectively in MCAS testing. When selecting testing accommodations, educators should consider the following:

- **Determine the learning challenges** the student is experiencing.
  - Look at the student’s classroom performance, not just the nature or type of disability.
- **Brainstorm the use of various accommodations and universal and designated accessibility features** with IEP team members and other adults familiar with the student.
  - What supports were used successfully with students who have similar learning profiles?
- **Try out the accessibility features and accommodation(s)** in different instructional and assessment settings and make adjustments as needed.
  - Be sure the student is comfortable using the accessibility feature or accommodation and becomes familiar with its use.
- **Evaluate whether the accessibility feature or accommodation addresses the student’s need.**
  - If not, revise the plan to provide accommodation(s) and supports accordingly.
- **If the accessibility feature or accommodation addresses the challenge,**
  - determine whether the accessibility feature or accommodation is allowed for MCAS testing in the subject (see Tables 1–5 elsewhere in this manual); and
  - develop or amend the IEP or 504 plan accordingly, listing each accommodation (required) or accessibility feature (optional) for the specific MCAS test(s).

8. Description of MCAS Accommodations

Tables 3–5 list the MCAS accommodations available to students with disabilities on the computer-based test, and where applicable, the comparable accommodation on the paper-based test. **Note:** the paper-based accommodations described below also apply to the legacy MCAS Chemistry and Technology/Engineering tests. MCAS accommodations are grouped into the following categories:

- **Test Presentation:** allowable changes to the format in which the test is presented to the student (Table 3)
- **Response:** allowable changes to the procedures, supports, or devices used to facilitate a student’s

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• **Special Access:** accommodations intended for a small number of students to offset the effects of a disability that would otherwise severely limit or prevent their participation in the assessment, and that may somewhat impact the interpretation of the test results (Table 5)

• **EL accommodations:** available to all ELs with and without disabilities on MCAS tests (Table 6)

**Note:** Accommodations listed with the *(SR/PNP)* designation in the tables below must be identified in the Student Registration/Personal Needs Profile for each student in PearsonAccessnext.

**Table 3. Test Presentation Accommodations for Students with Disabilities**

<table>
<thead>
<tr>
<th>#</th>
<th>Computer-Based Test</th>
<th>Paper-Based Test</th>
</tr>
</thead>
</table>
| A1  | **Paper-based edition** of the MCAS test may be administered as an accommodation to a student who is unable to use a computer or take the computer-based test due to a disability.  
(Note: This must be listed as an accommodation in the student's IEP or 504 plan) | N/A |
| A2  | N/A  
(See UF3 and UF4 on page 4 for information on screen magnification and alternate cursor/mouse.) | **Large print** (approximately 18-point font size on 11x17-inch paper)  
• All responses in the large-print booklet **must be transcribed** verbatim from the large-print booklet to the student's combined test & answer booklet (or standard answer booklet for certain tests) and returned according to instructions in the PAM, so that the student will receive credit.  
• Large-print special instructions will accompany the large-print test.  
• Students may either use the **large-print booklet** to respond to test questions, in which case the answers will need to be transcribed, either by the student (at the time of testing) or a test administrator (anytime during the testing window); OR the student may write answers directly in the **test & answer booklet**. IEPs and 504 plans should indicate how students taking the large-print test will record their answers. |
<table>
<thead>
<tr>
<th>#</th>
<th>Computer-Based Test</th>
<th>Paper-Based Test</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1</td>
<td><strong>Screen reader</strong>: ONLY for a student who is blind or visually impaired and uses the assistive technology program JAWS or NVDA</td>
<td><strong>Braille edition</strong> (hard copy)</td>
</tr>
<tr>
<td>(SR/PNP)</td>
<td>• A separate hard-copy Braille edition test with the appropriate Braille graphics will be sent when screen reader is designated.</td>
<td>• All answers must be either <strong>scribed</strong> or <strong>transcribed verbatim</strong> into the student’s test &amp; answer booklet and returned according to instructions in the PAM so the student will receive.</td>
</tr>
<tr>
<td></td>
<td>• All responses must be entered onscreen, either by the student or test administrator.</td>
<td>• Braille special instructions will accompany the Braille test.</td>
</tr>
</tbody>
</table>

**Previewing Braille test content by test administrators:** Under secure conditions supervised by the principal, Braille test administrators may review Braille test materials up to four days prior to testing once they are received by the school for the purpose of preparing to orient the student. Test materials may not be removed from the school. Braille test administrators who review the test prior to testing will be asked to sign nondisclosure acknowledgment forms.

<p>| A4.1  | <strong>Text-to-speech (TTS)</strong> text read aloud on the computer-based MCAS Mathematics and Science and Technology/Engineering tests | <strong>Kurzweil 3000</strong> electronic text reader |
| (SR/PNP) and A4.2 (SR/PNP) | • TTS may be used either with or without headphones. | • Kurzweil 3000 test editions are only available for the following tests: |
|      | • For students who require that text be read aloud, IEP teams should consider whether TTS is preferable to a human reader (or vice versa) and list this in each student’s IEP or 504 plan (e.g., “text-to-speech is preferable, but human reader is acceptable”). | o <strong>High school legacy STE tests</strong> (Chemistry and Technology/Engineering) |
|      | • Students should view the tutorial and take an online TTS practice test prior to testing. If the student is unable to use the TTS feature, but has this accommodation listed in his or her plan, a human reader may be substituted. | • Kurzweil 3000 tests are in read-only format. Responses must be recorded in the student’s test &amp; answer booklet. |
|      | • TTS for ELA is a special access accommodation (SA 1.1). See Table 5 for guidelines and criteria to receive this accommodation. | • Kurzweil 3000 special instructions will be sent to the school with the test. |</p>
<table>
<thead>
<tr>
<th>#</th>
<th>Computer-Based Test</th>
<th>Paper-Based Test</th>
</tr>
</thead>
</table>
| A5  | **Human read-aloud** for the Mathematics and Science and Technology/Engineering computer- or paper-based tests  
- For students who require that text be read aloud, IEP teams should consider whether TTS is preferable to a human reader (or vice versa) and list this in each student’s IEP or 504 plan (e.g., “text-to-speech is preferable, but human reader is acceptable”).  
- A human reader may either read aloud 1) the **computer-based test** signed in to a nearby computer or sitting next to the student; or 2) the **paper-based test**.  
- The test must be administered in a **separate setting**, either individually or to a **small group of 2–5 students**, all of whom are being provided the human read-aloud accommodation.  
- The entire test must be read word-for-word, exactly as it appears. The test administrator may not provide assistance to the student regarding the meanings of words, intent of any test item, or responses to test items. The test administrator should read with emphasis only when indicated by bold or italicized text.  
(Note: Reading aloud **selected words** on the Mathematics and/or Science and Technology/Engineering (STE) tests, as requested by the student, is **UF11**.)  
- Test administrators who review the test, including human readers, will be asked to sign nondisclosure acknowledgment forms.  
- **Note**: Reading aloud the **ELA tests** is a special access accommodation (SA1). See Table 5 for guidelines and criteria to receive this accommodation. |                                                                                  |
| A6.1| **Human signer** for the Mathematics, Science and Technology/Engineering tests, and ELA test questions (but NOT passages)  
- The test must be signed exactly as it appears. The signer may not provide assistance to the student regarding the meaning of words, intent of any test item, or how to respond to any test questions. The signer may finger-spell key words in addition to providing the sign for a term. The signer may sign emphasis only when indicated by bold or italicized text.  
- The test must be administered in a **separate setting**, either **individually** or to a **small group of 2–5 students**, all of whom are receiving the human signer accommodation.  
- **Note**: If preferred, selected words, phrases, or sections of the Mathematics and/or Science and Technology/Engineering test(s) may be signed to the student, as requested, rather than signing the entire test.  
- **Signing the ELA reading passages** is a special access accommodation (SA2). See Table 5 for guidelines and criteria to receive this accommodation.  
- **Previewing test content by human signers**: Under secure conditions supervised by the principal, interpreters may review test materials up to four days prior to testing once they become available, either online or shipped to the school, for the purpose of preparing to sign the test. Test materials may not be removed from the school nor accessed online outside of the school. Test administrators and interpreters who review the test prior to testing will be asked to sign nondisclosure acknowledgment forms. |                                                                                  |

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### Test Presentation Accommodations

<table>
<thead>
<tr>
<th>#</th>
<th>Computer-Based Test</th>
<th>Paper-Based Test</th>
</tr>
</thead>
</table>
| A6.2 | **ASL video** editions of the computer-based spring 2023 MCAS grade 10 Mathematics and high school Introductory Physics and Biology tests  
      An embedded ASL video is built into these computer-based tests.  
      - Students may turn on, turn off, pause, and control the signing speed of the ASL video. The size of the ASL video may be adjusted (using the control + or - keys) and it may be moved around on the computer screen.  
      - Students should view the tutorial and take **online ASL practice tests** prior to testing to become familiar with the features of the ASL video player. For students who are unable to use the ASL video, but have this accommodation listed in their plans, a human signer may be substituted. | N/A (See A6.1 for Human Signer) |

| A7 | **Human signer for test directions only** for a student who is Deaf or Hard-of-Hearing |

| A8 | **Track test items** by assisting the student to move from one test question to the next |

### Response Accommodations

<table>
<thead>
<tr>
<th>#</th>
<th>Computer-Based Test</th>
<th>Paper-Based Test</th>
</tr>
</thead>
</table>
| A9 | **Use of approved graphic organizers, checklists, or supplemental reference sheets** for ELA, Mathematics, and/or Science and Technology/Engineering tests  
     Only the approved ELA organizers and supplemental mathematics reference sheets made available by the Department may be used as accommodations on ELA and Mathematics tests; graphic organizers without text (e.g., paper with only lines, arrows and dots) may also be used without Department approval by students who have this accommodation listed in their IEP or 504 plans.  
     **Notes:**  
     - Approved graphic organizers and supplemental reference sheets are available on the Department’s website. These have been developed for use on MCAS tests based on the most current versions of the curriculum framework standards measured by the tests, the MCAS test design, expectations for how student essays and text-based responses will be scored, and educator input.  
     - For **Science and Technology/Engineering tests** in grades 5, 8, and high school, a student may use a sample reference sheet, if available, or submit a customized reference sheet | |

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**G. Decision-Making Tool for MCAS Participation by Students with Disabilities**

The decision chart shown below may be used by IEP teams and 504 plan coordinators to make annual decisions regarding appropriate student participation in MCAS. Make separate decisions in each content area being assessed: ELA, Mathematics, and Science and Technology/Engineering.

1. Does the student have an IEP or 504 plan? 
   - No: Student is ineligible to receive test accommodations or take the MCAS-Alt. Student must take the standard MCAS test using universal accessibility features, as needed.
   - Yes:
     1. Can the student fully or partially demonstrate knowledge and skills on a standardized computer- or paper-based test, either with or without accommodations?
        - Yes: Does the student have a significant cognitive disability? AND
          - Is working on academic standards that have been modified substantially below grade-level expectations; AND
          - Is receiving intensive, individualized instruction to acquire and demonstrate knowledge and skills; AND
          - Is unable to fully or partially demonstrate knowledge and skills on a standardized test, even with the use of accommodations?
            - No: The student is working at or near grade-level expectations.
            - Yes:
              1. The student should take either the computer- or paper-based MCAS test in the content area, with appropriate accessibility features and accommodations.
              2. The student should take either the computer- or paper-based MCAS test, with or without accommodations; or may be considered for the "grade-level" or "competency" portfolio.²
              3. If all criteria above are met, the student should be considered for the MCAS-Alt in the content area.³

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² See the [MCAS Grade-Level and Competency Portfolio Manual](#) for details on submission of grade-level and competency portfolios.

³ Students who take the MCAS-Alt in high school will not earn a Competency Determination in the assessed subject and therefore will not be eligible to earn a high school diploma.
IV. MCAS Accommodations for Students with Disabilities

A. Background and Purpose

The information in this section is intended to guide decision-making regarding the selection, use, and evaluation of accommodations for MCAS testing. As required by 34 CFR 300.160, the state is providing districts with these guidelines for the provision of appropriate accommodations on the MCAS tests, and stipulating that IEP teams and 504 plan coordinators carefully identify and select only those accommodations for each assessment that are needed by the student and do not invalidate the score. IEP teams should be trained annually on these guidelines. Please read the following information carefully.

B. Accommodations for Students with Disabilities

1. Purpose of Test Accommodations

A test accommodation is a change in the way a test is administered or the way in which a student responds to test questions. Test accommodations are intended to accomplish the following:

- offset the effects of the student’s disability and remove barriers to participation in the assessment
- provide the necessary conditions for a student to demonstrate knowledge and skills effectively on statewide assessments
- provide the opportunity to report test results for students who require accommodations
- provide test results that are comparable to those of students who did not receive accommodations
- yield results that do not affect the validity or reliability of the interpretation of scores for their intended purposes

Based on the information and guidance found on the following pages, the IEP or 504 plan for each student with a disability must be reviewed and revised as needed, either during routinely scheduled meetings prior to testing or through the IEP amendment process. The principal is responsible for ensuring that all students are provided with the test accommodations listed in their IEPs or 504 plans during testing. It is also advisable (though not required) to list any designated accessibility features (see Table 2) in the plans of students to ensure these will be provided.

Use of test accommodations should never replace appropriate and rigorous instruction based on grade-level standards in the subject being tested.

2. Eligibility for Test Accommodations

ELIGIBLE: students with disabilities served by an IEP or 504 plan

The right of a student with a disability to receive allowable accommodations on MCAS tests is protected by both federal and state laws. The student’s IEP or 504 plan must specify which MCAS accommodation(s) a student will receive, and the IEP must be approved by the parent/guardian (or student over 18) before an accommodation may be used by the student. Similarly, a student’s 504 plan must already be in place or under development. In cases where a 504 plan is under development, the school personnel responsible for writing the plan must have already met and agreed upon the necessary MCAS accommodation(s) before the accommodation may be provided.
NOT ELIGIBLE: students without identified disabilities and students who are not served by an IEP or 504 plan

A student who does not have a documented disability and is not served by either an IEP or 504 plan is not eligible to receive accommodations on MCAS tests, regardless of whether the student already receives support or accommodations during classroom instruction.

3. General Requirements for Use of Test Accommodations

The use of accommodations is based on the individual needs of a student with a disability and may only be provided when all of the following conditions have been met:

a) The student has a disability that is documented in an IEP or 504 plan and requires the use of one or more accommodations to participate in MCAS testing.

AND

b) The accommodation is listed in this manual (or prior written approval has been obtained from the Department for a unique accommodation); the accommodation is listed in the student’s IEP under “State- and District-Wide Assessment;” and the IEP has been signed by the student’s parent(s)/guardian(s) prior to the date of test administration; or is listed as an MCAS accommodation in a 504 plan developed for the student.

AND

c) The student uses the accommodation routinely (with rare exceptions) during classroom instruction and assessment in the subject, both before and after the MCAS test is administered, and the student is comfortable and familiar with its use. Use of an accommodation during routine instruction does not necessarily qualify a student to receive the same accommodation during MCAS testing; for example, the student must meet additional criteria to receive a special access accommodation on an MCAS test.

AND

d) If a special access accommodation will be provided, the student meets all of the criteria to receive the accommodation, as shown in Table 5.

IEP teams must reconvene at least annually and determine which accommodations will be needed for state- and district-wide assessments.

Accommodations may not

- alter, explain, simplify, paraphrase, or eliminate any test question, reading passage, writing prompt, or multiple-choice answer option
- provide verbal or nonverbal clues or suggestions that hint at or give away the correct response to the student
- contradict test administration requirements or result in a violation of test security — for example:
  - Test questions may not be modified, reordered, or reformatted in any way for any student.
  - Paper-based tests may not be photocopied, photographed, scanned, altered, or duplicated.
  - Screen shots of computer-based tests may not be taken or reproduced.
  - English-language dictionaries are not permitted for any student on next-generation MCAS tests.
If the above conditions have been met and the accommodation is listed in the IEP or 504 plan, the accommodation(s) must be provided to the student during MCAS testing. If an accommodation is provided that does not meet the conditions stated above or that is not listed in a student’s plan, the student’s test score may be invalidated.

In the event a test accommodation is provided that was not listed in the student’s IEP or 504 plan, or if a student was not provided a test accommodation listed in the plan, the school should immediately contact the Department at 781-338-3625 or by email at mcas@doe.mass.edu.

4. Updating IEPs and 504 Plans

IEPs and 504 plans should be updated as needed for all students with disabilities prior to the spring 2023 MCAS administration, as well as for other high school MCAS administrations throughout the year to reflect the most current needs of each student. Proper notation of accommodations in students’ IEPs and 504 plans will ensure that students receive all the necessary supports to which they are entitled.

Nearly all students are expected to take MCAS tests using the computer-based testing platform (TestNav) and be given an opportunity to view the tutorial and take online practice tests prior to test administration.

5. If a Student Refuses an Accommodation

If a student refuses to use an accommodation listed in their plan during testing, the school should document in writing that the student refused the accommodation and keep the documentation on file at the school. The student should be told that the accommodation will remain available during testing if they need it. The student should not be asked to sign an agreement acknowledging that they have refused an accommodation, nor should they be asked to waive their right to receive an accommodation that is listed in their IEP or 504 plan. A sample form (optional) for documenting a student’s refusal of an accommodation is available in Appendix C.

If a student refuses an accommodation, and the IEP team agrees that the listed accommodation is no longer needed by the student, the accommodation should be removed from the plan at the next scheduled meeting (or listed in the plan “as requested by the student”). Written approval must be obtained from the parent/guardian (or student over 18 years of age) for new or amended IEPs before a change in accommodations can go into effect.

Similarly, 504 plans must reflect only those accommodations that are required by the student as determined by educators familiar with the student. Consent by the parent/guardian is not required for a new or amended 504 plan, although the parent/guardian must be notified of any changes.

6. Unique Accommodations Requests

If a student with a disability or an English learner requires an accommodation that is not listed in Tables 1–6, the school may request approval from the Department for the use of a unique accommodation.
B. Designated Accessibility Features (DFs)

Although most students will be tested in their regular classrooms according to the guidelines and schedule intended for all students, principals have the flexibility to test any student, including those without identified disabilities and non-EL students, using the designated accessibility features described in Table 2, as long as all requirements for testing conditions, test security, and staffing are met.

It is advisable, although not required, to include designated accessibility features in the Individualized Education Plan (IEP) or 504 plan of a student with a disability who requires them.

Table 2. Designated Accessibility Features available to any student, at the principal’s discretion

<table>
<thead>
<tr>
<th>#</th>
<th>Designated Accessibility Feature</th>
</tr>
</thead>
<tbody>
<tr>
<td>DF1</td>
<td>Small group test administration (May include up to a total of 10 students.)</td>
</tr>
<tr>
<td>DF2</td>
<td>Individual (one-to-one) test administration (Student must be tested in a separate setting.)</td>
</tr>
<tr>
<td>DF3</td>
<td>Frequent brief supervised breaks</td>
</tr>
<tr>
<td>DF4</td>
<td>Separate or alternate test location</td>
</tr>
<tr>
<td>DF5</td>
<td>Seating in a specified area of the testing room, including the use of a study carrel</td>
</tr>
<tr>
<td>DF6</td>
<td>Adaptive or specialized furniture (e.g., seating, desk, or lighting)</td>
</tr>
<tr>
<td>DF7</td>
<td>Noise buffer, such as noise-canceling earmuffs/headphones or white noise (Note: music or other recordings may not be played, unless granted as a unique accommodation by the Department.)</td>
</tr>
<tr>
<td>DF8</td>
<td>Familiar test administrator</td>
</tr>
<tr>
<td>DF9</td>
<td>Student reads test aloud to self: Student must be tested in a separate setting, unless a low-volume device (e.g., a Whisperphone™) is used.</td>
</tr>
<tr>
<td>DF10</td>
<td>Specific time of day</td>
</tr>
<tr>
<td>DF11</td>
<td>Stop Testing policy: The student should be given the opportunity to attempt each test session. If the student does not appear to be responding to test questions after a period of 15–20 minutes, the test administrator may ask if the student is finished. If so, the test administrator may collect the student’s test materials and the student can either sit quietly or be excused from the test setting.</td>
</tr>
</tbody>
</table>
III. MCAS Participation Requirements for Students with Disabilities

A. Background

The information in this manual is intended to guide decision-making by Individualized Education Program (IEP) teams and 504 plan coordinators as to how a student with a disability will participate in MCAS. Students with disabilities are required to participate in all MCAS assessments scheduled for students in their grade. Students with significant cognitive disabilities who are unable to take the standard tests, even with accommodations, must take the MCAS Alternate Assessment (MCAS-AAlt).

B. Definition of a Student with a Disability

For the purpose of MCAS participation, a student with a disability is defined as a student with an approved Individualized Education Program (IEP) provided under the Individuals with Disabilities Education Improvement Act of 2004 and the Massachusetts General Laws, Chapter 71B; or a plan provided under Section 504 of the Rehabilitation Act of 1973 (i.e., a 504 plan).

C. Participation Requirements for Students with Disabilities

State and federal education laws mandate that all students with disabilities who are educated with Massachusetts public funds participate in annual statewide assessments. This includes:

- students enrolled in public schools
- students enrolled in charter schools
- students enrolled in innovation schools, including virtual schools
- students enrolled in educational collaboratives
- students enrolled in approved and unapproved private special education schools and programs within and outside Massachusetts
- students receiving educational services in institutional settings
- students in the custody of the Department of Children and Families (DCF)
- students in the custody of the Department of Youth Services (DYS)

Students with disabilities must participate in grade-level tests that correspond with the grade in which they are reported in the Department’s Student Information Management System (SIMS).

Only a student’s IEP team can make decisions about which test accommodations are appropriate for the student and whether the student should take the standard or alternate assessment. Assessment decisions for students with disabilities are made on an annual basis in each content area for each student and must be listed in the IEP. If the student has a 504 plan rather than an IEP, then the 504 plan must also include this information. The principal is responsible for ensuring that each student is assessed using the test format and accommodations listed in the student’s IEP or 504 plan.

English Learners (ELs) with Disabilities

EL students, both with and without disabilities, must participate in all MCAS assessments required for students in their grade, regardless of the number of years they have been enrolled in U.S. schools, with one
exception: EL students who first enrolled in a U.S. school after March 1, 2022, are not required to take the spring 2023 MCAS ELA tests, although schools have the option to assess first-year EL students in ELA.

EL students with disabilities are entitled to receive test accommodations and to participate in the MCAS Alternate Assessment (MCAS-Alt), as determined by their IEP team or 504 plan. See additional information on the participation of EL students in MCAS beginning on page 26.

In addition to MCAS tests, EL students with disabilities are required to participate annually in the ACCESS for ELLs test, which is developed by WIDA. An English language assessment mandated by federal law for all ELS. Educators use ACCESS results to make decisions about students’ proficiency with English in academic contexts and to facilitate their language development. The Accessibility and Accommodations Supplement provides educators a list of administration considerations, universal tools, and accommodations for individual English learners (ELs) with disabilities.

Students Diagnosed with Concussions

The Department has issued guidelines and MCAS testing policies for students who are returning to school after being diagnosed with a concussion. Please refer to this information before making decisions about MCAS testing for a student who has had a concussion.

D. Decision-Making Guidelines for MCAS Participation

This section provides guidelines for IEP team members and staff who develop 504 plans to determine how each student with a disability will participate in MCAS.

The student’s IEP team or 504 plan coordinator should address the questions below and consider options 1, 2, and 3 in the chart on pages 11–12:

- Can the student demonstrate knowledge and skills, either fully or partially, on the standard MCAS test under routine conditions?
- Can the student demonstrate knowledge and skills, either fully or partially, on the standard MCAS test with accommodations? If so, which accommodations are necessary for the student to participate?
- If the answer to the above questions is no, see the options below to determine whether the student should be assessed with the alternate assessment (MCAS-Alt) or should submit a grade-level or competency portfolio.

Note: Alternate assessments are intended only for students with significant cognitive disabilities who are unable to participate in standard MCAS tests, even with accommodations.

The student’s IEP team or 504 plan coordinator must make a separate decision for each subject scheduled for assessment. A student may take the standard test in one subject and the alternate assessment in another. These decisions may be revised each time the team convenes.
<table>
<thead>
<tr>
<th>Characteristics of Student’s Instructional Program and Local Assessment</th>
<th>Recommended Participation in MCAS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPTION 1</strong></td>
<td></td>
</tr>
<tr>
<td><em>If the student is</em></td>
<td></td>
</tr>
<tr>
<td>a) generally able to demonstrate knowledge and skills on a computer- or paper-based test, either with or without test accommodations,</td>
<td>Then the student should take the computer- or paper-based MCAS test, either with or without accommodations.</td>
</tr>
<tr>
<td><em>and is</em></td>
<td></td>
</tr>
<tr>
<td>b) working on learning standards at or near grade-level expectations,</td>
<td></td>
</tr>
<tr>
<td><em>or is</em></td>
<td></td>
</tr>
<tr>
<td>c) working on learning standards that have been modified and are somewhat below grade-level expectations due to the nature of the student's disability,</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Characteristics of Student’s Instructional Program and Local Assessment</th>
<th>Recommended Participation in MCAS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPTION 2</strong></td>
<td></td>
</tr>
<tr>
<td><em>If the student is</em></td>
<td></td>
</tr>
<tr>
<td>a) an individual with a significant cognitive disability,</td>
<td>Then the student should take the MCAS Alternate Assessment (MCAS-Alt) in this subject.</td>
</tr>
<tr>
<td><em>and is</em></td>
<td></td>
</tr>
<tr>
<td>b) generally unable to demonstrate knowledge and skills on a computer- or paper-based test, even with accommodations,</td>
<td></td>
</tr>
<tr>
<td><em>and is</em></td>
<td></td>
</tr>
<tr>
<td>c) working on learning standards that have been substantially modified due to a significant cognitive disability,</td>
<td></td>
</tr>
<tr>
<td><em>and is</em></td>
<td></td>
</tr>
<tr>
<td>d) receiving intensive, individualized instruction in order to acquire, generalize, and demonstrate knowledge and skills,</td>
<td></td>
</tr>
</tbody>
</table>
E. Further Guidance on Designating Students for the MCAS-Alt (Option 2)

IEP teams should **not** designate a student for an alternate assessment solely because the student

- has not received instruction in the general curriculum
- has a particular disability (e.g., all students with intellectual disabilities should not automatically be designated for the MCAS-Alt)
- is placed in a program or classroom where it is expected that students will take the MCAS-Alt
- has taken an alternate assessment in the past (since this is an annual decision)
- has previously failed the MCAS test
- requires assistive technology or an augmentative communication system that has not been provided
- attends a school in which the IEP team may have been influenced to designate the student for an alternate assessment in order to receive disproportionate credit toward the school’s accountability rating

Please refer to the Commissioner’s memorandum regarding MCAS-Alt eligibility criteria.

<table>
<thead>
<tr>
<th>Characteristics of Student’s Instructional Program and Local Assessment</th>
<th>Recommended Participation in MCAS</th>
</tr>
</thead>
</table>

### OPTION 3

**If the student is**

- a) working on learning standards **at or near grade-level expectations**
  
  **and** is

  - b) **sometimes able** to take a computer- or paper-based test, either with or without test accommodations,
  
  **but**
  
  - c) **has a complex and significant disability** that does not allow the student to fully demonstrate knowledge and skills on a computer- or paper-based test of this duration,

* See Section F for examples of complex and significant disabilities for which the student may require an alternate assessment.

**Then**

the student should take the computer- or paper-based **MCAS test**, if possible, with necessary accommodations.

**However**

the team may recommend that the student submit a grade-level or competency portfolio when the severity and complexity of the disability prevent the student from demonstrating knowledge and skills on the computer- or paper-based MCAS test, even with the use of accommodations.
F. Students with Complex and Significant Disabilities Who May Require a Grade-Level or Competency Portfolio (Option 3)

When the nature and complexity of a student’s disability present significant barriers or challenges to standardized computer- or paper-based testing, even with the use of accommodations, and the student is working at or close to grade-level expectations, the student’s IEP team or 504 plan coordinator may determine that the student should participate either in the grade-level (grades 3–8) or competency (high school) portfolio in one or more subjects. More information on grade-level and competency portfolios is available in the **MCAS Grade-Level and Competency Manual**.

The following examples are provided to expand a team’s understanding of which students may be appropriate for a grade-level or competency portfolio in unique circumstances:

- a student with a significant emotional, behavioral, or other disability, who is unable to maintain sufficient concentration to participate in standard MCAS testing, even with accommodations
- a student with a significant health-related disability, neurological disorder, or other complex disability, who cannot meet the demands of a prolonged test administration
- a student with a significant motor, communication, or other disability, who requires more time than is reasonable or available for testing, even with the allowance of extended time (i.e., the student is unable to complete a test session in a single school day)
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I. Overview of MCAS Accessibility and Accommodations

A. Introduction

State and federal law requires that all students educated with Massachusetts public funds (including students with disabilities and EL students) participate in MCAS assessments scheduled for their grade levels.

The assessment options indicated on the following pages are based upon (a) accommodations research; (b) generally accepted practices and procedures currently in use for statewide assessments; (c) previous versions of MCAS accommodations policies; and (d) the recommendations of Massachusetts stakeholders who were members of the MCAS Accessibility and Accommodations Work Group.

The application of universal design principles to the MCAS assessments, in conjunction with the accessibility and accommodations policies described in this manual, are intended to alleviate stigmas associated with accessibility differences and reduce barriers to participation in the MCAS assessments for all students, not just students with disabilities and English learners. Many accessibility features are embedded into the computer-based testing platform (TestNav) and others can be readily applied to paper-based testing for students who are unable to take tests on a computer. Increased flexibility for local administrators has been incorporated in test administration procedures in response to input and requests from local educators for greater autonomy in determining the testing conditions within their schools.

To assist schools in providing and tracking the use of accessibility features and accommodations during testing, the Department recommends that test coordinators develop a table or spreadsheet prior to test administration that lists where, when, and with whom students will be testing, and which accessibility features and accommodations each student will need, to ensure that students receive all accessibility features and/or accommodations to which they are entitled.

B. Important Announcements and Reminders

- MCAS Retests: The Department will offer only next-generation ELA and Mathematics retests in November and March. Retests will be computer-based with all available accommodations. Paper-based equivalent accommodations will be available for students with disabilities who are unable to participate in computer-based tests.

- February Science and Technology/Engineering (STE) test administration: A next-generation Introductory Physics test will be offered in February 2023, with paper-based and computer-based accommodations, in addition to a next-generation Biology test.

- High school Chemistry and Technology/Engineering tests (being administered for the last time in June 2023) will be administered only as legacy paper-based tests.

- The Kurzweil accommodated version of MCAS tests will only be available for June 2023 legacy Chemistry and Technology/Engineering tests.

- Students who use the speech-to-text and/or word prediction accommodations may use these accommodations with an embedded web extension program if either is listed in their IEP or 504 plan. The use of Web extensions is described in greater detail in the Department’s Guidelines for Using Assistive Technology as an MCAS Test Accommodation.

Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests
Massachusetts Department of Elementary and Secondary Education
Appendix A describes the **Procedures for Scribing and Transcribing Student Responses.**

Computer- and paper-based MCAS **practice tests** are available, including accommodated editions. Students using accommodated forms, including text-to-speech and the web extensions, should become familiar with these features and the basic functionality of the computer-based testing platform (TestNav) prior to testing. The Department encourages each student to take online practice tests and also view the student **tutorial** prior to actual test administration.

Annual decisions about test participation for each student with a disability (including ELs with disabilities) must be made by the IEP team and listed in the student’s IEP, or be included in a 504 plan, for each content area test.

- The team should decide which, if any, **accommodations** the student needs to participate in MCAS testing, according to the policies outlined in this manual.
- The team should decide whether the student with a disability requires a **paper-based rather than a computer-based test**, and, if so, in which subjects.
- Accommodation decisions are made by the student’s language-based team—an informal team of adults familiar with the EL student—and documented in writing using the sample (or similar) form provided in Appendix B.
- If **accessibility features** are needed by a student with a disability, listing these features in the student’s plan will be beneficial to guarantee that they will be provided on the test.

The following **must** be provided to **all** students on MCAS tests, including students with disabilities and ELs:

- untimed test sessions until the end of the school day, as needed
- blank scratch paper (including blank, lined, or graph paper)
- assistance as needed from a test administrator in using the computer-based testing platform (see the Test Administrator’s Manual for Computer-Based Testing for more information)

**C. Accessibility Features and Accommodations**

**Accessibility features and accommodations** for MCAS tests are listed in the following categories:

- **Universal Accessibility Features** (UF): Tools and supports that are available to **all** students, either on the computer-based tests or their paper-based equivalents.

- **Designated Accessibility Features** (DF): Flexible test administration procedures that may be used with any student at the discretion of the principal (or designee).

- **Accommodations** (A): Specific supports available only to students with disabilities and English learners.

- **Special Access Accommodations** (SAs): May be provided to students who meet certain guidelines and criteria.

**English Learner Accommodations** (EL): Several accommodations are available to ELs who do not have disabilities. Accessibility and accommodations policies will also be described in the MCAS Principal’s Administration Manual (PAM).
D. ACCESS Test for English Leaners who Require Accommodations

The Department uses the ACCESS for ELLs assessment from the WIDA consortium to measure the English language proficiency of ELs in Massachusetts. WIDA provides guidelines for how to best support students with disabilities taking WIDA assessments through the Accessibility and Accommodations Supplement. WIDA developed the supplement to help educators understand and use the test administration considerations, universal tools, and accommodations for individual ELs in order to produce valid assessment results. The supplement covers accommodations for WIDA's multiple assessments.
II. Accessibility Features for All Students

A. Universal Accessibility Features (UFs)

Universal Accessibility Features are tools and supports available to all students on the MCAS tests, that are either built into the MCAS computer-based test platform or provided by a test administrator on the computer- or paper-based test. Although most universal accessibility features will be available on the day of the test to any student who wishes to use them, some must be requested prior to testing using the student registration system located in PearsonAccessNext (PAN). The \textbf{(SR/PNP)} designation in Table 1 below refers to an accessibility feature or accommodation that must be requested prior to the start of testing.

Table 1. \textit{Universal Accessibility Features Available to All Students}

<table>
<thead>
<tr>
<th>Feature #</th>
<th>Computer-Based Testing</th>
<th>Paper-Based Testing</th>
</tr>
</thead>
<tbody>
<tr>
<td>UF1</td>
<td>Highlighter tool</td>
<td>Highlighter</td>
</tr>
<tr>
<td></td>
<td>Four highlight colors are offered: blue, pink, green, and orange</td>
<td>Colored highlighters and/or colored pencils may be used. See Principal’s Administration Manual for details.</td>
</tr>
<tr>
<td>UF2 \textit{(SR/PNP)}</td>
<td>Color Contrast</td>
<td>Colored overlays or tinted lens(es)</td>
</tr>
<tr>
<td></td>
<td>The student can select a color combination for text and background.</td>
<td></td>
</tr>
<tr>
<td>UF3</td>
<td>Magnifier or Zoom tool</td>
<td>Magnification tool/device or low-vision aid</td>
</tr>
<tr>
<td></td>
<td>Magnifier tool enlarges part of the screen; Zoom tool enlarges or reduces the entire screen when the student presses Ctrl + or Ctrl -</td>
<td></td>
</tr>
<tr>
<td>UF4 \textit{(SR/PNP)}</td>
<td>Enlarged Cursor/Mouse Pointer tool</td>
<td>Enlarged pencil/modified writing instrument</td>
</tr>
<tr>
<td></td>
<td>The student can select an enlarged and colored cursor.</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>UF5</th>
<th>Line reader tool</th>
<th>Tracking device, such as a straight edge or similar tool</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Masks text so only part of the text can be viewed at one time</td>
<td></td>
</tr>
<tr>
<td>UF6 (SR/PNP)</td>
<td>Answer masking</td>
<td>Mask text or answer(s) using a blank card or cutout</td>
</tr>
<tr>
<td></td>
<td>Student selects which answer choices will be shown on the screen.</td>
<td></td>
</tr>
<tr>
<td>UF7</td>
<td>Answer eliminator</td>
<td>Use a pencil to eliminate answer choices in test booklet (not answer bubbles)</td>
</tr>
<tr>
<td></td>
<td>Marks an “X” through each answer option the student believes is incorrect.</td>
<td></td>
</tr>
<tr>
<td>UF8</td>
<td>Item flag/bookmark</td>
<td>Use a blank place marker to mark a question for later review (Note: sticky notes are not allowed)</td>
</tr>
<tr>
<td>UF9</td>
<td>Audio aid (e.g., amplification device) (Note: smartphones may not be used)</td>
<td>Audio aid (e.g., amplification device) (Note: smartphones may not be used)</td>
</tr>
<tr>
<td>UF10</td>
<td>Notepad for notes or calculations</td>
<td>Scratch paper is required for all students</td>
</tr>
</tbody>
</table>

**UF11** Test administrator reads aloud selected words (or signs selected words, in the case of a student who is Deaf or Hard-of-Hearing) on the Mathematics and/or Science and Technology/Engineering (STE) tests only, as requested by the student.

The student may point to a word or phrase and request the word to be read aloud or signed. Test administrator quietly reads aloud or signs the selected word(s) or phrase to the student. Students using this feature may be tested alongside other students in groups of any size.

**UF12** Test administrator redirects student’s attention to the test without coaching or assisting the student to answer any questions (e.g., test administrator reminds student to stay focused; it is not permissible to say, “Add more to your response” or “Make sure to answer all questions.”)

**UF13** Test administrator reads aloud, repeats, or clarifies general test administration directions from the Test Administration Manual scripts to student, as needed.

*Accessibility and Accommodations Manual for the 2022–2023 MCAS Tests/Retests*

Massachusetts Department of Elementary and Secondary Education
Submitting Customized Materials for Approval  
for MCAS Science and Technology/Engineering Tests and ELA and Mathematics Retests

**Instructions:** This cover sheet must accompany all requests for approval to use customized materials for accommodation A9. Customized material may only be used on MCAS STE tests in grades 5, 8, and high school; and legacy mathematics and ELA retests. Please complete and submit this form to the Department’s Student Assessment Services Office by email to mcas@doe.mass.edu or fax to 781-338-3630.

Please submit a **separate cover sheet for each content area** (English Language Arts, Mathematics, or Science and Technology/Engineering).

**Materials submitted after the deadline(s) shown below may not be reviewed before the testing window begins.**

Responses will be sent approximately ten school days after a request is received. Please contact the Student Assessment Services Unit at 781-338-3625 with any questions. Retain documentation on file for three years.

### Contact Information

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### Accommodation A9 Customized Materials Submitted

*Place a check mark next to each material being submitted for approval.*

- [ ] Legacy ELA Graphic Organizer
- [ ] Legacy Math Reference Sheet
- [ ] Legacy STE or Other Checklist
- [ ] STE Reference Sheet

### MCAS TEST ADMINISTRATION

*Place a check mark next to each test administration for which the material will be used.*

(Submission deadline in parentheses)

- [ ] November retests (10/4/2019)
- [ ] February Biology (1/10/2020)
- [ ] March retests (2/7/2020)
- [ ] Grades 5 and 8 STE (2/28/2020)
- [ ] High School STE (4/28/2020)
Principal or Designee Statement

The principal or designee of the school must sign below to acknowledge the following:
I have reviewed the Department’s policy for administering customized materials for accommodation A9.

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<th>Name:</th>
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Special Education Procedure:
SE 6 - Determination of Transition Services

- The Team discusses the student’s transition needs annually, beginning no later than when the student is 14 years old, and documents its discussion on the Transition Planning Form.
- The Team reviews the Transition Planning Form annually and updates information on the form and the IEP, as appropriate.
- For any student approaching graduation or the age of 22, the Team determines whether the student is likely to require continuing services from adult human service agencies. In such circumstances, the administrator of special education makes a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c. 71B, §§12A-12C (known as Chapter 688).
- In cases where the IEP included needed transition services and a participating agency other than the school district fails to provide these services, the Team reconvenes to identify alternative strategies to meet the transition objectives.
- The district ensures students are invited to and encouraged to attend part or all of Team meetings at which transition services are discussed or proposed.

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<th>State Requirements</th>
<th>Federal Requirements</th>
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<tr>
<td>M.G.L.c.71B, Sections 12A-C</td>
<td>34 CFR 300.320(b); 300.321(b);</td>
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<tr>
<td>603 CMR 28.05(4)(c)</td>
<td>300.322(b)(2); 300.324(c)</td>
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**Procedure for Determining Transition Services:**
**M.G.L.c.71B, Sections 12A-C; 603 CMR 28.05(4)(c)**

IEP Teams within Diman Regional will discuss the student’s transition needs at each Team meeting, or at least annually, beginning with the student’s initial Team meeting held at Diman Regional. The completed Transition Planning Form (TPF) will be used to develop the IEP. The student will receive training to enable active participation in his/her IEP Teams. Students are invited and encouraged to attend all IEP Team meetings. A student on an IEP at Diman is considered by the Special Education Department to be the most important member of the IEP Team and their contribution to discussions regarding post-secondary goals and the development of his/her IEP is considered vital.

The Team updates information on the Transition Planning Form annually and the IEP continues to be developed based on the student’s post-secondary Vision, needs and TPF Action Plan.

For every student on an IEP approaching graduation, or the age of 22, generally commencing with the Team meeting during junior year, the Team determines whether the student is likely to require continuing services from adult human service agencies or participating agencies other than the school district. At Diman Regional there are several agencies with which we have established relationships, including – Southeast Center for Independent Living (SECL), Mass Rehab, Department of Development Services, and Community Connections.

Beginning Freshman year, Diman Regional offers post-secondary transition workshops to every student with an IEP. Created by and provided through the Southeast Center for Independent Living, topics in the series of workshops include creating a Vision statement, daily living skills, self-care, money management, transitional assistance, community experience, insurance, housing, mobility and transportation, citizenship responsibilities, and courses of study following graduation.

The Director of Special Education will also make referrals to other agencies as deemed appropriate by the Team to meet the needs of the student after graduation.

The Director of Special Education will also make a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c.71B, (12A-C), also known as Chapter 688 when it has been determined to be necessary for the student’s smooth transition to their next environment post high school.
Special Education Procedure:
SE 7 - Transfer of Parental Rights and Student Participation and Consent at Age of Majority

- One year prior to the student reaching age 18, the district informs the student and the parent/guardian of the rights 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 all rights accorded to parents under special education law will transfer to the 18-year-old.

- Upon reaching the age of 18, the school district implements procedures to obtain consent from the student to continue the student’s special education program.

- 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.
  - 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.
  - 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 a choice is made in the presence of the Team and is documented in written form. The student’s choice prevails at any time a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.
  - 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 a 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
603 CMR 28.07(5)

Federal Requirements
34 CFR 300. 320(c), 300.520
Procedure for Transfer of Parental Rights and Student Participation and Consent at Age of Majority
603 CMR 28.07(5)

One year prior to the student reaching age 18, Diman Regional informs the student and the parent/guardian of the rights will transfer from the parent/guardian to the student upon the student's 18th birthday. This is most often completed during the Team meeting prior to the student's 18th birthday and the notification provided to both the student and the parent/guardian explicitly states all rights accorded to parents under special education law will transfer to the 18-year-old. All documentation is signed at the Team meeting prior to the student's 18th birthday following an explanation of Transfer of Rights by the Director of Special Education or his/her designee. Students are always asked if they understand what has been explained to them by the Director and whether or not they have any questions. Students are asked to choose how they would like the Transfer of Rights to occur. The student may choose to make all decisions regarding their education, they may choose to share the decision-making responsibilities with a parent, guardian or other adult, or they may choose to delegate decision making to their parent/guardian. In which the parent/guardian or other competent adult would continue to make decisions regarding the student's education. In the cases where the parent will be obtaining guardianship of their adult child the proper paperwork is provided by the parent/guardian and placed in the student's record.

Diman Regional implements procedures to obtain consent from the student to continue the student's special education when the student reaches the age of 18.

The District continues to send the parent written notices and information, but the parent will no longer have decision-making authority, except as follows:

- If the parent has sought and received guardianship form 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.
- The student, upon reaching the age of majority and in the absence of any court action 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 a choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.

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 a 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.
Notice of Transfer of Parental Rights

Date: 09/10/2020

Dear (Parent/Guardian) and Sample Form

Sample Form will turn 18 on

The state of Massachusetts transfers rights to individuals at the age of majority. Therefore, all parental rights will transfer to the student and he/she becomes responsible to make all decisions regarding future educational services, unless a legal guardian or conservator has been appointed. If a guardian or conservator has been appointed, please notify the Director of Special Education. Parent(s) will continue to receive any future notices required by state and federal laws and rules regarding educational programming. If you have questions, you may contact Debbie S. Pacheco at 508-678-2891 x1320.

Debbie S. Pacheco
Director of Special Education

Enclosure: Parent’s Notice of Procedural Safeguards
cc: Evaluation Team Leader
Student
Parent/Guardian

The Greater Fall River Regional Vocational District does not discriminate on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in or treatment in its programs and activities.

State Regulations 28.08(7), Ch. 231, Sec. 3A
Federal Requirements 300.347(c), 300.517
Notice of Transfer of Parental Rights

Transfer of Parental Rights at Age of Majority and Student Participation and Consent at the Age of Majority

1. One year prior to the student reaching age 18, the district informs the student of his/her right at age 18 to make all decisions in relation to special education programs and services.

2. Upon reaching the age of 18, the school district implements procedures to obtain consent from the student to continue the student's special education program.

3. The district continues to send the parent written notices and information but the parent will no longer have decision-making authority, except as provided below, and the parent will have the right to inspect the student's record.

   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 delegate continued decision-making to his/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.

   c. 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/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.

Enclosure: Parent's Notice of Procedural Safeguards
cc: Evaluation Team Leader
    Student
    Parent/Guardian

The Greater Fall River Regional Vocational District does not discriminate on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in or treatment in its programs and activities.

Federal Requirements 340.347(c), 300.517

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Age of Majority Notice

From: Debbie S. Pacheco, Director of Special Education, 508-678-2891 x1320
Date: 
Re: Student Rights Upon Reaching Age 18 (Age of Majority)

As you approach your 18th birthday, your rights and responsibilities under Massachusetts and federal special education laws will be changing, and we are writing to inform you of those changes. Please read this letter carefully. I will be happy to sit with you and explain anything you might want to have clarified.

When you reach your 18th birthday, you will be considered an adult under special education law, and you will be asked to make a choice. You may decide to make all decisions yourself, without the consent of your parents. You may choose to share decision-making with your parent(s) or guardian, or any other adult of your choice, including allowing your parents to co-sign your IEP. Or you may decide to continue to have your parents make education decisions for you. We will ask you to convey your choice to the TEAM in writing at the time of your birthday.

There is one exception: if your parent(s) or guardians have sought and received guardianship from a court, they will continue to have authority. If they do not obtain guardianship, they cannot override any decision you make after your 18th birthday.

These important responsibilities reflect your status as an adult, and we know that you will make these decisions wisely. Please discuss with your parents, and be assured we will be happy to help you with this decision in any way that we can.

A copy of the Parent's Notice of Procedural Safeguards is included with this memo. All the rights described in the brochure will transfer to you upon your eighteenth birthday. Please take the time to review this brochure and discuss the contents with your parent/guardian. If you have any questions or concerns about this letter or the contents of the enclosed Parent’s Notice of Procedural Safeguards please contact Debbie S. Pacheco, Director of Special Education at 508-678-2891 x1320.

cc: Parent/Guardian
Student file

Enclosure: 2 copies of Age of Majority Notice
Notice of Transfer of Parental Rights Form
Parent’s Notice of Procedural Safeguards

AGE OF MAJORITY NOTICE RECEIPT
Please sign & return one copy of this letter within ten days

(Student’s signature) (Date)

Parent/Guardian Signature (Date)

The Greater Fall River Regional Vocational District does not discriminate on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in or treatment in its programs and activities.
The following persons are members of the IEP Team and may serve in multiple roles:

- The child's parents.
- A representative of the school district who acts as Chairperson and who is (1) qualified to supervise or provide special education; (2) is knowledgeable about the general curriculum; and (3) is knowledgeable about the availability of resources of the district.
- A representative of the school district who has the authority to commit the resources of the district (and who may act as the Chairperson).
- If the student may be involved in a regular education program, a regular education teacher. If the student is involved in a regular education program, a regular education teacher of the student.
- If the student is participating in a special education program, a special education teacher of the student or, if appropriate, a special education provider for the student.
- The student's guidance counselor may attend as needed.
- The student's vocational instructor when deemed necessary to report on progress of the student.
- By age 14 students must be invited to attend IEP meetings and, if not in attendance, provisions must be made to take into account the student's interests and preferences.
- The student, if one purpose of the meeting is to discuss transition services or if otherwise appropriate and if he/she chooses.
- Other individuals at the request of the student's parents.
- An individual who is qualified to interpret the instructional implications of evaluation results.
- Other individuals who may be necessary to write an IEP for the child, as determined by the Administrator of Special Education.
- When one purpose of the Team meeting is to discuss transition services, a representative of any public agency who may be responsible for providing or paying for transition services is invited to the Team meeting. If the representative(s) does not attend the meeting, the school district takes other steps to obtain the participation of these agencies.
- When one purpose of the Team meeting is to discuss placement, a person knowledgeable about placement options is present at the meeting.
- Members of the Team attend Team meetings unless:

  A. The parent and district agree to use alternative means, such as a video conference or a conference call, for any Team meeting OR
  B. The district and the parent agree, in writing, attendance of the Team member is not necessary because the member’s area of the curriculum or related services is not being modified or discussed OR
  C. The district and the parent agree, in writing, to excuse a required Team member’s participation and the excused member provides written input into the development of the IEP to the parent and the IEP team prior to the meeting.

### State Requirements

603 CMR 28.02(21)

### Federal Requirements

34 CFR 300.116(a); 300.321; 300.328

See also, in the IDEA 97 regulations, 34
Procedure for IEP Team Composition and Attendance:
603 CMR 28.02(21)

Within Diman Regional members of the IEP Team include, but are not limited to:
- Director of Special Education as Team Chairperson or a designated Team Chairperson
- The student
- The student's parent(s)/guardian(s)
- Student's Liaison from Special Education Department (may or may not be one of the student’s Special Education Teachers)
- One of the student’s General Education Teachers (or a representative when applicable)
- The student’s Vocational Instructor (or a representative when applicable)
- The student's Guidance Counselor (when applicable)
- The School Psychologist
- The School Nurse (when applicable)
- Outside consultants/therapists
  - Speech/language Pathologist
  - Social Skills Group Coordinator
  - Organizational Consultant
  - Autism Specialist
- Outside agency representative who may be conducting vocational testing or representative from an agency implementing transition services
- Other individuals at the request of the parents
  - Advocate
  - Attorney
  - Consultant
- If a student is going to be transferring back to their sending school district, a representative from the school district will be invited.

Attendance Not Necessary:
A required member of the IEP Team (by role) does not have to attend an IEP meeting, in whole or in part, if the parent(s) agree in writing the Team member’s attendance is unnecessary because the member's area of curriculum or related services is not being modified or discussed.

If a parent/guardian is unable to attend a Team meeting in person, or to participate via conference call or electronically (Skype, FaceTime, etc.), the meeting will still be held with the parent(s)/guardian(s) consent given verbally to the Director of Special Education. Documentation will be included in the IEP to reflect the parent(s)/guardian(s) wishes for the meeting to be held in their absence. However, if a parent/guardian is unable to attend a Team meeting and wishes to have the meeting rescheduled, leading up to and including the day of the meeting, then the meeting will be rescheduled to allow for the parent/guardian to attend.

Excusal:
When the IEP meeting involves a modification or discussion of a required Team member’s area of curriculum or related service (by role, most likely the general educator or the special educator), member may be excused, in whole or in part, only if; - the parent’s and Diman Regional's representative agree to the excusal in writing; and Diman Regional individual filling role submits written input into the development of the IEP to the parent(s)/guardian(s) and the IEP Team prior to the meeting.
Procedure:
The Attendance Not Necessary or Excusal Signature form is provided as an enclosed document to the Meeting Notice (N3). This is stated after “Enclosure”.

It is preferable to meet with parent(s)/guardian(s) regarding this recommendation for Team Meeting Membership, but a mailing is allowable. However, any requests from parents for such a meeting will be scheduled by the Director of Special Education.

At the IEP Team Meeting:
The student's Liaison reads at a minimum the summary section of any report of an excused or not necessary Team member. Any questions which cannot be answered by a Diman Regional Vocational Technical High School IEP Team member are to be redirected to the Director of Special Education.

Attorney Invited to the Meeting:
If a parent(s)/guardian(s) unexpectedly brings an attorney to an IEP meeting, the Team Chairperson should inform the attorney of their own legal counsel, representing Diman Regional Vocational Technical High School, needs to be informed. Ethics rules prohibit the attorney from having contact with the school staff without the presence of the school’s attorney. The parent/guardian may choose to continue the meeting with neither attorney present. If on the day of the meeting the parent/guardian insists on the presence of an attorney, the meeting ends, and will be reconvened at a later date, with the school attorney present.

Parents Invite a Consultant or Advocate to a Team Meeting:
Parents/Guardians can bring others to the Team meeting to assist them with the process and/or decision-making. Often these people are educational advocates, paid by the parents/guardians. Other times parents/guardians bring a friend or relative. These people must sign in and become a member of the Team. If an advocate contacts you by phone, fax, or other method, Diman Regional members should not discuss the student or case until they have signed written permission from the parent to do so. This protects confidentiality.

If an advocate or consultant requests to observe a student, (prior to or after a Team meeting), the Director of Special Education and/or the Assistant Superintendent - Principal should be notified to arrange the observation. A Special Education staff person will be assigned to accompany the visitor throughout the observation and should record notes about the student's activity during the observation to assist in the Team's discussion should concerns arise. All questions and concerns should be referred to the Director of Special Education. Scheduling will reflect the Massachusetts Parent Observation law with observation limited only by the 3 elements noted in the law and DESE Implementation Advisory.

Guidelines for Coordinating with Advocates:
These guidelines are intended to ensure all advocates are afforded ample opportunity and proper access within the context of your busy school day and ever-changing staff/student schedules. Educational advocates are often hired by parents or assigned by the Department of Mental Health or Department of Child and Family and to ensure the student will receive all the necessary educational components in order to be successful in school. Parents/legal guardians can also hire advocates privately. Educational advocates employed by parents are not required to have any special certifications or licensure and may have a background not including public school experience. It will benefit the student most if you can take time to explain scheduling and other issues when the parent/guardian or the advocate is unsure about these ancillary issues. In addition, please adhere to the following guidelines to ensure needs of the parent and advocate are satisfied within the context of the greater needs of the student and school’s daily activities:

1. Advocates must always produce a written permission document signed by the parent or legal guardian. Without this statement, you are not authorized to divulge any information to any third party about any student.
2. Requests from advocates for copies of any student file materials must follow the Department of Elementary and Secondary Education Student Record Regulations for dissemination of information. This request should be preceded or accompanied by a signed release of information form from the parent or legal guardian.

1. Scheduling for observations/visits by advocates or outside evaluators will reflect the procedures suggested by the Massachusetts Parent Observation law and the practices suggested in the accompanying DESE Advisory.
**Attendance Sheet**

**Special Education Team Meeting**

Attachment to N3

| Meeting Date: |  |
| Time: |  |
| Location: |  |
| Room: |  |

**Purpose of Meeting:**
- [ ] Eligibility Determination:
- [ ] IEP Development:
- [ ] Placement:
- [ ] Transition:
- [ ] Other:

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Special Education Team Meeting
Statement of Attendance Excusal

Meeting Date:
Time:
Location:

Room:
Purpose of Meeting:  
- Eligibility Determination:
- IEP Development:
- Placement
- Transition
- Other:

- It is not necessary for the following team member(s) to attend this meeting or to provide input, since his/her area of the curriculum or related service is not being modified or discussed in this meeting.

- The following team member(s) is/are excused from attending this meeting. The meeting does involve a modification to or discussion of the member's area of the curriculum or related service. Therefore, each member has provided to the parent and the IEP Team, prior to the meeting, his/her written input into the development of the IEP.

- Signatures of agreement to the above statements of excusal:

______________________________ ______________________________
School District Representative Parent / Guardian
Special Education Procedure:
SE 9 - Timeline for Determination of Eligibility and Provision of Documentation to Parent

Within 45 school working days after receipt of the parent's written consent to an initial evaluation or a reevaluation, the school district determines whether the student is eligible for special education and provides to the parent either a proposed IEP and (except in cases covered by 603 CMR 28.06(2)(e)) proposed placement or a written explanation of the finding of no eligibility.

State Requirements
603 CMR 28.05(1); 28.06(2)(e)
Procedure for Timeline for Determination of Eligibility and Provision of Documentation to Parent

603 CMR 28.05(1); 28.06(2)(e)

When a parent requests an evaluation, Diman has 5 school working days (SWD) to provide a written response. The timeline is then as follows:

- The Evaluation/testing is completed 30 SWD from date of written consent.
- Evaluation reports are ready for parents 2 SWD prior to the Team meeting.
- Team meeting is scheduled 45 SWD from the date written consent was received.
- If necessary, a separate placement meeting may be held 15 SWD from the Team meeting date. Extended Evaluations will only be used after eligibility has been determined. There is an eight-week period to complete this. Extended Evaluations may not be used as a placement.
- If a request for evaluation is received 30 days before the end of the school year, the Team meeting must be held no later than fourteen days after the end of the school year. A list of such requests will be kept for documentation.

Within Diman Regional Vocational Technical High School the process for providing documentation to the parent is as follows:

- The IEP, or response notice, is provided to the parent immediately. DESE interprets this as 3-5 calendar days (5 where weekend days intervene). Where there is no fully developed IEP, the parent should receive a written summary of decisions, a service delivery grid, and a statement of major goals at the conclusion of the IEP Team meeting. The IEP must then be made available to the parent in two calendar weeks. No changes in decision is made after the meeting. Parents must be informed of their right to a 30-day period to respond to the IEP.
- If a parent/guardian rejects an IEP in part or in full – 5 days after receiving it from school, the IEP must be sent to the Bureau of Special Education Appeals.
- If the district does not receive back an IEP with a parent signature/decision, a reminder letter will be sent home. Unsigned IEPs are considered rejected and must be sent to the Bureau of Special Education Appeals with a cover letter indicating Diman is not requesting assignment of a Hearing Officer but is submitting the proposed IEP to provide parents the opportunity to exercise their due process rights.

Within Diman Regional Vocational Technical High School the process for responding to a request for an independent evaluation is as follows:

- Upon receipt of a request for an Independent Evaluation Diman Regional must respond in 5 SWD. There are guidelines based on parent’s income but also in regard to Diman’s responsibility to fund the IEE if the student is on free or reduced lunch.
- Independent Evaluations should be completed in 30 days and a Team meeting scheduled within 10 days of receiving the report.
Special Education Procedure:
SE 9A - Elements of Eligibility Determination; General Education Accommodations and Services for Ineligible Students

- To determine whether a student is eligible for special education, the school district:
  a. provides an evaluation or re-evaluation
  b. convenes a Team meeting
  c. determines whether the student has one or more disabilities
  d. determines if the student is making effective progress in school
  e. determines if any lack of progress is a result of the student's disability
  f. determines if the student requires special education and/or related services in order to make effective progress or if the student requires related services in order to access the general curriculum

- If a Team determines a student is not eligible for special education but may be eligible for accommodation(s) for disability(ies) under Section 504, the student is referred for consideration by the district for eligibility under the general education program.

- When the student does not need any direct services, the Team makes a finding of no eligibility and appropriate services are provided through the district's general education program.

- When the student’s lack of progress is due to a lack of instruction in reading or mathematics, limited English proficiency, social maladjustment, or is due to an inability to meet the school discipline code but is not due to a disability, the district makes a finding of no eligibility for special education and may refer the student to a more appropriate instructional program or support service.

State Requirements
603 CMR 28.05(1) and (2)

Federal Requirements
34 CFR 300.8; 300.306
Procedure for Determining Eligibility and Effective Progress, General Education Accommodations and Services for Ineligible Students  
603 CMR 28.05(1)(2)

In order to determine whether a student is eligible for special education services Diman Regional and the Team:

- Must judge whether or not a student is making effective progress in school in a general education setting as part of the eligibility process.
  - To do so the Team must determine whether the student has:
    - Made documented growth with or without accommodations, in the learning standards set forth in the Massachusetts Curriculum Frameworks/Common Core Curriculum, in knowledge and skills acquisition including social/emotional development, and in the curriculum of the district.
    - Made growth according to the chronological age, the development expectations, and the individual educational potential of the child.

- There may be times when a student is referred to Diman’s – Student Success Team (SST)
  - The Student Success Team, commonly referred to as the **SST**, has been established to assist teachers in addressing areas of concern with a student who exhibits behavior inhibiting his/her ability to be successful in either the classroom or the shop.
  - The primary purpose of the SST is to evaluate, in a formal educational setting, the behavioral, academic, vocational, language, social skills, or any other areas having manifested themselves as contributing factors to the student **not doing well** in a class or shop.

- When a student does not need any direct services, the Team may make a finding of no eligibility and appropriate services would be provided through the District’s general education program utilizing the SST process

- If a student is making effective progress during a re-evaluation, the Team must consider what the student’s progress would be if the services already in place were withdrawn.
  - When considering if the student has made effective progress:
    - The Team must look at whether the disability is causal to any inability to make progress
    - Only if the Team determines lack of progress is connected to a disability may the Team continue to discuss a possible finding of special education eligibility.
    - The essential finding of the Team must be lack of progress is, at least in part, a result of the disability(ies).

- A student may not be found eligible solely because the student is unable to follow the school discipline code, has limited English proficiency, social maladjustment, or has lacked reading or math instruction.

Special Education Procedure:  
SE 10 – End of School Year Evaluation

If consent is received between 30 and 45 school working days before the end of the school year, the school district ensures a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding the student is not eligible no later than 14 days after the end of the school year.

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<tr>
<th>State Requirements</th>
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<tr>
<td>603 CMR 28.05(1)</td>
<td>34 CFR 300.323</td>
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Procedure for Request for End of School Year Evaluation

603 CMR 28.05(1)

If consent for an evaluation is received between 30 and 45 school working days before the end of the school year, Diman Regional ensures a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding the student is not eligible no later than 14 days after the end of the school year.

If a parent provides the school with written consent for the evaluation in less than 45 school days, but at least 30 school days before the last instructional day of the school year, the evaluation must be completed, and the report provided to the parent by June 30th. Then, not later than the 15th school day of the following school year, the Team will meet to review the results of the evaluation and determine eligibility for special education services.

Note: School days do not include any day a student is not in school, such as:

- Weekends
- Student Holidays
- Staff Development Days
- Spring Break
- Winter Break
- Summer Break
- School closure (snow day/emergency closing)

Also Note: If a student is absent more than three (3) days after the consent for evaluation is signed, the school district may extend the 45-school day timeline by the number of absences with parent notice and consent.
Special Education Procedure:
SE 11 – School District Response to Parental Request for Independent Educational Evaluation

If a parent disagrees with an initial evaluation or re-evaluation completed by the school district and the parent requests an independent educational evaluation, the district implements the following requirements:

- 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 normally allowed.
- 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 equivalent to the types of assessments done by the school district.
- The district extends the right to a publicly-funded independent educational evaluation (only if cost is shared or funded for state wards or for students receiving free or reduced cost lunch) for 16 months from the date of the evaluation with which the parent disagrees.
- If the parent is requesting an evaluation in an area not assessed by the school district, or if the student does not meet or the parent does not choose to share the financial documentation regarding the income eligibility standards for free or reduced cost independent educational evaluation, then the school district responds in accordance with the requirements of federal law by paying for the independent educational evaluation or, within 5 school days, proceeding to the Bureau of Special Education Appeals (BSEA) to show its evaluation was comprehensive and appropriate. Where the BSEA finds the school district’s evaluation was comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent.
- Whenever possible, the independent educational evaluation is completed, and a written report sent no later than 30 days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator’s report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools.
- Within 10 school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate.

State Requirements
603 CMR 28.04(5)

Federal Requirements
34 CFR 300.502
Parents of a child with a disability have a right to request an Independent Educational Evaluation (IEE) at public expense if the parent disagrees with the evaluation done by the school district. The request needs to be made in writing to the Director of Special Education. Following a parental request for an IEE at public expense, the district follows the procedure listed below:

1. Within 5 days of receipt of a parent request for an IEE, the district must either agree to fund the IEE or request assignment of a Hearing Officer through the Bureau of Special Education Appeals. If a request is denied by Diman, the initiation of the BSEA due process hearing is an effort to show the district evaluation is appropriate. If upon completion of the due process hearing, a determination is made district evaluation is appropriate; parents may decide to obtain an independent educational evaluation, but not at Diman’s expense. If Diman does not prevail at the BSEA, Diman becomes responsible for funding the IEE. If Diman agrees to fund the IEE or if Diman does not prevail at the BSEA, the district must furnish parents with a list of independent evaluators who are licensed and qualified to perform the evaluation.

2. Parents have the right to select an independent evaluator of their own choosing if the evaluator is qualified and accepts the rate Diman determines is usual for the type of evaluation sought. The selected independent evaluator must be licensed and able to provide similar evaluations with appropriate clinical tools, similar to those used in the original Diman evaluation.
Special Education Procedure:
SE 12 – Frequency of Evaluation

- When the student’s needs warrant it or a parent or teacher requests it, the school district, with parental consent, conducts a full re-evaluation consistent with the requirements of federal law, provided:
  a. A re-evaluation is conducted every 3 years unless the parent and district agree it is unnecessary and
  b. A re-evaluation is conducted no more frequently than once a year unless the parent and district agree otherwise.
- The district implements re-evaluation procedures in all cases where it is suspected a student is no longer eligible for special education, except no re-evaluation is required before the termination of eligibility because a student has graduated with a general high school diploma or exceeded the age of eligibility.

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<td>603 CMR 28.04(3)</td>
<td>34 CFR 300.303; 300.305(e)</td>
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Incoming freshmen transferring to Diman Regional may, with parental consent, be re-evaluated during their Freshman year if information provided by sending district is incomplete, does not provide sufficient information regarding current skill sets or if categorical eligibility seems to have routed student into MCAS Alt rather than attempting MCAS and movement toward a regular high school diploma. Should the re-evaluation be necessary, academic, vocational, speech/language, social skill development, self-determination and organizational/executive functioning skills are assessed.

When a student receiving special education services is due for his/her triennial re-evaluation, a discussion can be held at the preceding Annual Review where the Team discusses the needed assessments for the upcoming student evaluation. If all members of the Team agree and the parent/guardian/student concur, repeating prior full test batteries is not necessary, then specific assessment components of the prior evaluation can be waived, with the form provided for a consent signature.

Diman implements re-evaluation procedures in all cases where it is suspected a student is no longer eligible for special education.

No re-evaluation is required before the termination of eligibility because a student has graduated with a general high school diploma or exceeded the age of eligibility.

A student within Diman may also be evaluated based on referral from the Diman Student Success Team, having met on a student at the teacher’s request, would have exhausted all suggested interventions with the student and been unsuccessful in improving the student’s educational, emotional, or functional behaviors. At that time, the Director of Special Education may contact the student’s parent(s)/guardian(s) and request consent for testing to determine whether or not the student requires intervention through specially designed instruction.
Request For Waiver Of Assessment(s)
20 U.S.C. §614(c) (4); 603 CMR 28.07(2)

To: Parent/Guardian/Educational Surrogate/Student (18 and over)
Date: __________

Special education regulation states that school districts should avoid unnecessary duplication of assessments. Therefore, after the Team has carefully reviewed your child’s school record for information that reflects the status of your child’s disability(ies) and/or student performance, the school district recommends the following assessments be waived:

<table>
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<tr>
<th>Type of Assessment</th>
<th>Reason for Waiver Recommendation</th>
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It is important that the school district knows your decision as soon as possible. Please indicate your response by checking one (1) box below and returning a signed copy to the district. If you do not agree to waive the above assessment(s), the school district is obligated to complete the noted assessment(s). Thank you.

☑ I agree to waive the assessment(s) listed above.
☑ I agree to waive only the following assessment(s):

☐ I do not agree to waive the above assessments.

Signature of Parent, Guardian, Educational Surrogate/Parent, Student 18 and Over* ____________________________ Date ____________

*Required signature once a student reaches 18 unless there is a court appointed guardian.

Directions to School District Staff: Please remember that the Team (20 U.S.C. § 614 (d)(1)(B)) and other qualified professionals must review existing evaluation data on the student and that a student may not be determined ineligible for services unless a reevaluation is completed. Please use this form in conjunction with N1 - School District Proposal to Act. N1 should list the assessments that are recommended for completion.
Special Education Procedure:
SE 13 – Progress Reports and Content

- Parents receive reports on the student's progress toward reaching the goals set in the IEP at least as often as parents are informed of the progress of non-disabled students.
- Progress report information sent to parents includes written information on the student's progress toward the annual goals in the IEP.
- 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)
Procedure for Developing Effective IEP Progress Reports

“Written Progress Reports for eligible students will be submitted to parents at least as often as report cards or Progress Reports for all students without disabilities and will meet the requirements of Federal Special Education Law at 34 CFR 300.347(a)(7) – [603 CMR 28.07(3)].”

- Progress Reports are comprised of the – progress report pages of the student’s IEP using the appropriate drop-down menu in ESPED
- Progress Reports are issued according to the same schedule as report cards for the student’s grade
- Current Goals/Objectives data are kept by the student’s teacher and/or Liaison when Goals are focused on support services
- Progress Reports run the life of the IEP not the school year. It is the responsibility of the teacher/Liaison to ensure they are entering reports into the correct time frame in ESPED
- All completed Progress Reports are submitted on schedule to the administrative assistant of the Director of Special Education. Staff will be notified of specific due dates. The administrative assistant will mail Progress Reports to parents.
- All Progress Reports are monitored/reviewed for quality and regulatory requirements by the Director of Special Education prior to mailing them out to parents.

Key Points

- Progress Reports reflect steps taken toward annual goals.
- In order to document progress, annual goals must be well written in objective measurable terms with data collection and methodology for each IEP goal clearly defined.
- By regulation, Progress Reports must answer the following questions:
  - What is the student's progress towards the goal? (be sure to provide specific examples of what the student is able/unable to do based on objectives)
  - Is the progress sufficient to enable the student to achieve the annual goal by the end of the IEP period?
- Respond to the question by following these steps when writing an IEP Progress Report
  - Specify what the student has been working on
  - List what the student has achieved using data, baseline comparisons and target skill gains;
  - Indicate obstacles (i.e., attendance, tardiness, etc.) hindering academic progress (focus on objective view supported by data and measurable outcomes rather than a subjective view based on personal opinions)
  - Project whether the student will achieve the annual goal if the progress continues at the current pace

How to address “lack of progress”

- If the student demonstrates minimal or no progress during MORE THAN one grading period, the Team will reconvene to adjust instructional practices and interventions
- It is the responsibility of the Team to address this issue early in order to ensure the student is receiving FAPE
Special Education Teacher/Liaison Responsibilities

- It is the responsibility of the Special Educator/Related Service providers to prepare the Progress Report to be sent home to parents/guardians and students.
- The Special Education Teachers must document the student’s Current Level of Performance (performance level for each objective is based on data and measurable outcomes)
- The IEP Progress Report is sent home to parents at the scheduled grading period. Therefore, IEP Progress Reports must be completed by the date semester grades are due.

Examples of IEP progress report comments

- **ENGLISH** – “Jane identifies the elements of a persuasive opinion piece and uses a few of these elements appropriately in her writing. As shown in her opinion piece on whether students should have part-time jobs, Jane had many persuasive ideas but she had difficulty maintaining one consistent opinion (i.e. staying on one side of the issue). Jane, in the development of her organizational skills, needs to focus on information and ideas supporting her opinion by using graphic organizers”
- **MATH** – “Jane determines some of the characteristics of relations by constructing graphs. She identifies correlation (e.g., airtime vs. cell phone cost) and constructs lines of best fit. Jane needs to seek clarification about how a table of values, a graph, and rate of change determine if a relation is linear. Jane’s understanding may improve by referencing online classroom notes and resources at home.
- **Then**, comment on the attainment of each measurable objective based on data from the reporting period and whether the student is making/not making effective progress towards achieving the annual goal.
Procedure for Completing a Summary of Student Performance (SOSP)

**Purpose:** The Summary of Student Performance is required under the reauthorization of the Individuals with Disabilities Education Act 34 CFR 300.305(e)(3) and must be completed for every student on an IEP who has had services terminated due to graduation or exceeding the age allowed to receive services.

**Using E-Sped dropdown menu, complete the following drop downs and text boxes.**

**A.** Check off why the student has been terminated.

**B. Text Box #1**
*Provide a written summary addressing student academic achievement* — data from the following could be used in development of this summary: transcripts, report cards, psycho-educational testing results, reports of standardized test results, & results of progress towards IEP goals. For each applicable content area a brief present level of performance (strengths & needs) should be included. Any essential accommodations, modifications, or assistive technology utilized in high school should be included in the academic summary. Answers to the following questions should be used as prompts to complete the student’s academic achievement summary:

1. Did the student meet all graduation requirements?
2. Will they be receiving a diploma or will it be a certificate of attainment?
3. Did they pass all required MCAS tests?
4. Did the student meet or exceed the established standards in each of the content areas based on the goals and objectives of their IEP?
5. In what academic areas did the student receive specially designed instruction?
6. In what areas was the student included in the general population? (academics, physical education, health, computers)
7. What are the student’s cognitive abilities (strengths & weaknesses)?
8. What are their current performance levels in reading, writing, & math (strengths & weaknesses)?
9. What accommodations and modifications were essential to the student’s success? (these may be necessary for student’s success if their post-secondary vision is to take college classes)
10. Was there any assistive technology utilized in academics necessary for the student’s success?

**C. Text Box #2**
*Provide a written summary addressing student functional performance* – the following information is a summary of the student’s functional performance, i.e., life/community access skills and vocational skills, essential accommodations/modifications and/or assistive technology may have been utilized in accessing the high school environment. Answers to the following questions should be used as prompts to complete the student’s academic achievement summary:

1. What vocational placement will the student be graduating from?
2. What success did the student have in their vocational placement?
3. What experiences/awards/certificates did the student achieve in their vocational placement? (SKILLS, OSHA, Serve Safe, etc.)
4. What accommodations and modifications were essential to the student’s success? (these may be necessary for student’s success if their post-secondary vision is to take vocational classes for licensure)
5. How is the student’s organization? Did they have an organizational goal? What was their PLOP towards goals at graduation?
6. Was the student in a social skills group? What was their level of success within the group?
7. What are the student's overall social skills and behavior within the school?
8. How does the student communicate with teachers and peers? Does he/she listen? Do they retain what they hear?
9. Does the student have any independent living skills? (License, knowledge of/experience with public transportation, bank accounts, etc.)
10. What are the student's self-advocacy skills?
11. Does the student have a job or job experience?
12. Did the student participate in transition workshops provided by the school?

D. Text Box #3
Provide a written summary providing recommendations on how to assist the student in meeting his/her post-secondary outcomes. – The answers to the following questions should be used as prompts to complete recommendations for the student. You MUST address education, employment, & independent living. If any one area does not apply to a student, it is permissible to write N/A. These three areas can also be broken out in your narrative.

1. What are the student's plans for further education?
2. If the student is going to go on to a trade school or college what accommodations should be considered for the student's success? (provide examples – keeping in mind whether or not the student had organizational or social goals as well as academic)
3. Is the student going into or continuing with employment?
4. What are the student's strengths and interests in relation to employment?
5. What is the student's level of independence while working? According to their vocational teacher, are they productive in individual and cooperative situations?
6. Will the student need further training to obtain employment?
7. What accommodations will the student require to be successful at their job?
8. What are the student's immediate plans for post-secondary living? (at home, with friends, independently, supported/ supervised living environment?)
9. Does the student have a license? A car? Ability to utilize public transportation?
10. Does the student require assistance in managing his/her finances? Daily living?
11. Were there any referrals to outside agencies for the student's transition?

E. Complete all remaining drop-down menus
   a. Personnel completing the summary
   b. Position of personnel
   c. Date completed
   d. Completer plans (will auto-fill smaller box)

The completed form is mailed home to the student and their family with the final progress reports. Although there are many prompts provided for completing the SOSP, you may wish to add additional information. There should be a minimum of two paragraphs for each of the three areas being addressed. Much of the information will come from a student's most recent IEP, teacher/vocational summaries, and reports from the guidance office in which the student discussed their personal learning experiences, and the supports in high school best suited them. You may also wish to sit with the student and ask them for answers to these questions to get a better idea about your liaison students plans for after graduation.
Special Education Procedure:
SE 14 – Review and Revision of IEPs

- At least annually, on or before the anniversary date of the IEP, a Team meeting is held to consider the student's progress and to review, revise, or develop a new IEP or refer the student for a re-evaluation, as appropriate.
- Amendments to the IEP. In between annual IEP meetings the district and parent may agree to make changes to a student’s IEP, documented in writing, without convening a meeting of the Team. Upon request, a parent is provided with a revised copy of the IEP with the amendments incorporated.

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<td>603 CMR 28.04(3)</td>
<td>34 CFR 300.324(a)(4), (6) and (b)</td>
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Procedure for Review and Revision of IEPs
603 CMR 28.04(3)

Within Diman Regional, at least annually, and generally 3-4 weeks prior to the anniversary date of the IEP, a Team meeting is held to consider the student’s progress and to review, revise, and update the current IEP or refer the student for a re-evaluation. The Transition Planning Form (TPF), teacher reports, guidance counselor reports, consultant/speech/language reports, and any testing reports are submitted to the student’s Liaison and parent(s) at least one week prior to the meeting date and the Liaison is responsible for assembling all information into a draft form of IEP for use at the meeting. The form created for discussion by the IEP Team will be clearly watermarked “DRAFT”.

Amendments to an IEP in between the annual IEP meetings are made when the IEP Team agrees to make changes to a student’s IEP. Changes may include but are not limited to: a change in placement, a change in accommodations for state testing, addition of testing results, or an update from a teacher, consultant, or guidance counselor cannot wait until the next scheduled Team meeting date. The amendments are documented in writing without convening a Team meeting. Upon request a parent is provided with a copy of the IEP with the amendments incorporated.
Guide to IEP Dropdown Menu Items to be Completed in ESPED

Dropdown #4 ~ Duplicate student record – to save time you could duplicate all student records on your liaison list at the beginning of the year
- Exclude current goals & objectives
- Exclude current progress reports *** If you do not exclude the progress reports in the new plan, then you MUST go back and delete the progress report information in the new plan you duplicated. ***
- Select “Next” from dropdown for Record Status

Dropdown #1 ~ Student Information
- If a plan is going to run August-June verify you have changed the student’s grade, in the dropdown box, on the new plan.

Dropdown #2 ~ Student Record Dates
- Enter annual meeting date
- Verify school year the plan will run
- Put in IEP start/end dates – Re-evaluation meetings will run from the date of meeting and not be pre dated. Annual team meetings will be dated from the anniversary date of the plan, this includes seniors who have plans expire before graduation, and plans will run from meeting date through the last day of school.

Dropdown #3 – Student/School Information
- Primary Contact information is you the liaison – add it here in drop down with role (liaison), also, fill in cycle type of either 5-day cycle or 10-day cycle

Dropdown #6 ~ Parents/Guardians
- Update parent’s address/phone number if necessary (ask at the meeting if all information is current)

Dropdown #9 ~ Administrative Data Sheet
- Add date of the meeting to this page/add to history
- For Eligibility Determination is Reevaluation & IEP development is IEP Three Year Evaluation
- For annual Meetings Eligibility Determination is left blank & IEP development is annual review or IEP 2nd Annual
- Check the box saying ‘placement’ (do not check ‘transition planning’ or ‘other’)
- Use this page for date tracking for an IEP amendment ~ when there is no major change to a plan
- Cost share placement dropdown menu, for freshmen only, check off ‘Does not apply’ it will carry in all future plans

Dropdown #11 ~ Concerns, Strengths, Vision
- Parent and or Student Concerns ~ includes them
  - Greatest concerns
  - Hopes regarding student’s accomplishments – graduation, pass MCAS, go out on Co-Op etc.
  - Concerns regarding services
  - Concerns regarding last year’s IEP

Student Strengths & Key Evaluation Results Summary ~ includes:
- Statement about who the meeting is for, the purpose of the meeting, the date and student's current placement
- Educational strengths ~ what they do well in at school
  - Academic
  - Vocational
- Any student successes or accomplishments during the last IEP
- Statement of the student's disability and how it affects their school work
- Summary of evaluation results from psycho educational testing write up in user friendly language for parents and other teachers
- MCAS results
- Recommendations of Team regarding placement and services

Student Vision section ~ includes statements on a student’s vision for post-secondary living, work, school, and transportation needs. The name of the school should not be mentioned in the statements.

Dropdown #12 ~ Present Levels A: General Curriculum
- For a two-week student check the ‘Other Curriculum Area’ box and type in Related
- Create a statement about how the disability affects the students’ progress in the general curriculum
  - Identify the disability in the statement
  - How does disability impact participation in overall participation?
  - Provide information as to which typical assignments in the general curriculum will be difficult for the student due to the disability
    - For Example ~ “Kim’s specific learning disability impairs her ability to read which impacts her involvement and progress in the general education curriculum. Independent reading at grade level will be difficult for Kim”
- Write all accommodations in this section - including all MCAS 2.0 Accommodations and label them as MCAS Accommodations
  - **recommendations from psycho educational testing are not accommodations they are statements, “May enhance learning experience of the student” do not copy and paste these into the IEP
- Identify Accommodations for MCAS 2.0 using new reference sheet from DESE
- Utilize dropdowns in instructional modifications for content, methodology, & performance criteria where appropriate

Dropdown #13 ~ Present Levels B: Other Educational Needs
- Check off ‘Skill development related to vocational preparation or experience’ for all students
- If student will attend Social Skills Group check off ‘Social/emotional needs’
- If student is going to have an organizational goal check off ‘Other’ and type in Organization
- Check off correct Age-Specific Considerations box
- Statement on how disability will affect student in these other areas may or may not be the same as PLEP A
- Accommodations may or may not be the same as PLEP A ~ consider accommodations would be effective in the shop environment, or during the social skills group meeting
- Explain what type of specially designed instruction is necessary for student to make progress
- Utilize dropdowns in instructional modifications for content, methodology, & performance criteria

Dropdown #14 ~ Measurable Annual Goals
• Continue to develop appropriate goals and objectives based on statements in the Present Level of Performance section – student objectives must match the goal they are addressing.

Dropdown #15 ~ Service Delivery
• If service Delivery Category is “C” Sped Other Setting the student is in a modified program
  • ½ day of academics and a ½ day of shop
    o Math 5x55
    o ELA 5x55
    o History 5x55 for freshmen, juniors, & seniors
    o Biology 5x55 for sophomores
• Two-week student receiving substantially separate math and/or ELA instruction
  o Math 10x55
  o ELA 10x55
• Service Delivery Category “A” is for consultation of service provider/and/or teacher or parent to teachers.
• Service Delivery Category “B” is for inclusion or services provided by general education teachers as well.
Dropdown #16 ~ Non Participation/Justification Schedule Modification
- Answer to the first question ~ “Is the student removed from the general education classroom at any time?” Should be **YES** it **will be NO** for student for are not pulled out for services or students in inclusion settings all day
- Answer all questions on this page:
  - Schedule Modification
    - If a student is going to receive instruction in a reading intervention model after school, then they are going to have a longer school day and the appropriate box needs to be checked
      - Provide an explanation for the longer school day in the comment box identify the service, how many times per week, and for how long
  - Determination of whether or not the student requires an extended school year, especially for students with intellectual disability who may experience regression during summer vacation, must take place during the Team meeting. Documenting the discussion and the decision should be reflected in the student’s N1 letter as well as in the text box in this section.
  - Transportation Services ~ most often answered ‘No’

Dropdown #17 ~ State or District-Wide Assessments
- Type in the type of assessment the student will be taking part in during the current IEP period ~ MCAS
- Check off appropriate tests in Column 2
  - Check off tests a student may also be re-testing in during Junior and/or Senior year
  - Identify Accommodations for MCAS 2.0 using new reference sheet from DESE

Dropdown #18 ~ Transition/Additional Information
- Check off the first checkbox then ADD graduation date to plan
- Transfer of Rights statement ~ see dropdown menu
- Statement of Interagency Responsibilities
  - If none, state there are none at this time
  - If MA REHAB, SCIL, or Community Connections will be involved in transition services state here ~ should be discussed and/or starting in junior year
- Chapter 688 Referral ~ starting in junior year when there are referring agencies, check yes or no depending on Team recommendation. **For freshmen and sophomores check N/A.**
- If parent was not at meeting check off appropriate box and create a statement as to the methods utilized to ensure parental participation and documentation/phone calls regarding parent wishes, i.e. parent may wish to have meeting take place without their presence
- For **ALL** students check off ‘Other relevant IEP information not previously stated: THIS IS MANDATORY’
  - Utilizing dropdowns select appropriate action taken to address student’s awareness of bullying prevention policy/assistance in school
  - list all transition workshops student participated in
  - include autism statement when applicable
  - Select comment about services being terminated upon issuance of a diploma

Dropdown #19 ~ Transition Planning Form:
- Complete dates
- Copy and paste post-secondary vision into TPF
- document what skills are needed to meet vision
• Write action plan to include
  o Instruction
  o Employment
  o Community Experiences/Post School Adult Living

Dropdown #23 ~ IEP Amendment Data – make sure to always go into the ACTIVE PLAN
• Complete IEP amendment date box, either date of meeting or date of parent request for amendment
• Check off the box labeled ‘new’ (there will be a pop-up) and complete 2 statements
  o The **Change** to the Plan
  o The **Reason** for the Change
    • Always click ‘SAVE’

• ***Depending on the Change, for example added accommodations, removal of accommodations, added services, removal of services You MUST make the changes in the ACTIVE PLAN and possibly in the SERVICE DELIVERY Grid***

Dropdown #26 ~ Age 6-21 Placement Consent 1
• Add dates of plan
• Add school name
• Select Full, Partial, or Substantially Separate for placement

Dropdown #29 ~ Age 6-21 Educational Environment/Placement
• First dropdown “not a special education student age 3-5”
• Second dropdown choose placement
  o Full
  o Partial
  o or Substantially Separate
• Third dropdown will populate automatically

Dropdown #31 Age 6-21 Primary Disability/Level of Need
• Check off one box in each section to identify level of need for student

Dropdown #32 ~ Progress Report Information ~ NEW
• **ADD** Progress Report Dates to new plan
• ONLY 2 dates within the parameters of the new plan, approximately:
  o One for January
  o One for June
• If you did not delete old progress reports when you duplicated a new plan, you will need to delete old dates and progress report information before entering new progress report dates.

Dropdown #34 ~ Notice of Proposed Action (N1) – must be completed by the liaison after **every** Team meeting on a student, or at the request of the Director of Special Education – exemplar available in Google doc
• Under “The school district proposes the following:” choose the appropriate action
  o An Evaluation
  o An IEP
  o An Amendment
  o A Placement
  o Other
• Complete the ‘Notice Date’
• Scroll down towards the bottom to the writing prompts, there are 6, answer each prompt in a narrative – an exemplar is available on School Fusion, completing the text box stating “Narrative Description of School District Proposal” – be sure and save

Dropdown # 36 ~ School District Refusal to Act
• Completed when a student is found ineligible for special education services
• Check off the box stating: “Finding of no Eligibility”
• Add date
• Scroll down towards the bottom and complete the text box stating: “Narrative Description of School District Refusal to Act” using the 6 question prompts to complete your narrative – don’t forget to save your work
Liaison Checklist for IEP Completion

To be handed in with a corrected draft IEP following the Team meeting.

A copy of this checklist must be included with the draft IEP utilized during the Team meeting for note taking; it will be placed in the student's file.

Each item number corresponds to a dropdown page on ESPED.

#1 – Student Information

- Changed student's grade level when plan runs August – June; otherwise current grade level is accurate
- Corrected any information may have changed as determined at Team meeting

#2 – Student Record Dates

- Annual meeting date on plan is accurate
- Verified school year the plan will run
- IEP start/end dates are accurate; during a re-evaluation meeting plans are not pre-dated and should reflect the date of meeting. Annual meetings will reflect dates plans expire not meeting date
- Meetings for Senior students reflect an end date is the same as the graduation date

#3 – Student/School Information

- Liaison name is listed as contact person with role of liaison selected

#6 – Parents/Guardians

- Parent's address and phone number have been verified

#9 – Administrative Data Sheet

- Date of meeting is accurate
- Correct eligibility determination is selected according to grade level
- Correct IEP development is selected according to grade level
- Checkbox labeled “placement” has been checked
- “Cost share placement” – ‘does not apply’ has been selected

#11 – Concerns, Strengths, & Vision

- Parent and student concerns have been updated
- Student's strengths, educational achievements, and personal accomplishments have been noted
- Student's academic and vocational progress have been updated based on discussion at meeting
- Summary of Transition Assessment
- When applicable student’s speech, social skills, and other relevant reports from outside consultants has been updated and/or included
- Re-evaluation testing information has been entered in the format requested by the Director of Special Education
- MCAS data has been updated
- Student's disability category has been listed
Teacher recommendations have been included and will be changed to Team recommendations when meeting has concluded
Student's vision statement is complete based on student input at meeting and guidance counselor progress report including statements regarding – post-secondary education, post-secondary living arrangements, transportation/license plans, & employment

#12 – Present Levels A: General Curriculum

- For two week students “other curriculum” has been checked and Related has been entered, along with checking off any general curriculum areas which will be affected by the student’s disability
- Disability statement has been reviewed and is accurate – what is it the student cannot do, or struggles with due to their disability
- Test accommodations will be used during the school year and on all finals have been added
- MCAS accommodations have been added and labeled as MCAS; including individualization of reference sheets/graphic organizers for math, ELA, and science
- Types of specially designed instruction needed for the student to make effective progress is described in the comment box
- Modifications for content, methodology, & performance criteria have been reviewed and updated where appropriate

#13 – Present Levels B: Other Educational Needs

- Skill development related to vocational preparation is checked off for all students
- Social/emotional checked off if student is in Social Skills Group or meets with the School Adjustment Counselor
- ‘Other’ is checked off if student is having or is recommended to have Organizational or Speech consult and description is written in the box next to Other category
- Age-specific considerations is checked
- Disability statement has been reviewed and is accurate for student’s vocational placement
- Accommodations have been reviewed and are appropriate for student’s vocational placement, including those recommended from the Organizational, Speech, and Social consults where appropriate
- Type of specially designed instruction needed for the student to make effective progress has been noted in the comment box
- Modifications for content, methodology, & performance criteria have been reviewed and updated where appropriate

#14 - Measurable Annual Goals

- Present levels of performance have been updated and reviewed
- Goals have been reviewed and updated if necessary
- How will we know if a student has reached this goal information has been added?
- Objectives have been updated and correlate with goals stated

#15 – Service Delivery

- Service delivery information has been verified and is accurate including start and end dates and correct category of services
- Where necessary for clarification additional information about a service is included in the comment box
#16 - Non Participation/Justification Schedule Modification

- Statement as to why student is removed from general education curriculum is accurate and has been reviewed
- Need for longer school day for services, if necessary, has been discussed and included
- Extended school year – student’s need, or refusal, for extended school year was discussed at the meeting and a decision was made by the Team (especially for students with Intellectual Disability). Determination for extended school year need or refusal is documented in dropdown #16 and N1 letter
- Transportation services and needs have been discussed and the correct information is checked off

#17 - State or District Wide Assessments

- Type of assessment, if any, is typed into text box (MCAS)
- Appropriate tests have been selected
- Appropriate accommodations have been selected - should look like information from PLEP A

#18 - Transition/Additional Information

- First box has been checked off and anticipated graduation date has been added
- Referral agencies have been documented when recommended by the Team
- Chapter 688 referral has appropriate box checked off
- If parent was not at meeting – efforts to obtain parental participation box is checked off and a statement has been written in the text box
- ‘Other relevant IEP information not previously stated’ box is checked off for all students and bullying statement is selected, participation in transition workshops listed, statement regarding services being terminated upon issuance of a diploma and autism statement if applicable

#19 - Transition Planning Form

- Dates of meeting and graduation date completed
- Post-Secondary Vision - copied from vision statement
- Disability Related Needs - document skills needed to meet vision should be tied to goals
- Action Plan completed
  - Instruction
  - Employment
  - Community Experiences/Post School Adult Living

#26 - Age 6-21 Placement Consent 1

- Dates of plan have been added
- School name has been added
- Correct inclusion statement depending on student’s placement

#29 – Age 6-21 Educational Environment/Placement

- First drop down – Not a Special Education Student ages 3-5
- Second drop down - Check off student’s placement in second drop down
  - Full Inclusion
  - Partial Inclusion
- Third drop down will populate automatically based on choice made in second drop down
#31 – Age 6-21 Primary Disability/Level of Need

- One box in each section has been checked off to identify level of need for student

#32 – Progress Reports

- Progress Report dates have been added to new plan (2 dates total – January & June – May for Seniors) – this needs to be verified in ESPED and they need to correspond to end of trimester grading
- Verified old progress reports were deleted when new plan was created, if not delete at this time

#34 – Notice of Proposed Action (N1)

- Appropriate District proposal(s) has been checked off - IEP and Placement
- Notice Date completed
- Bottom of Page - check box and note 2 copies of IEP
- Narrative description of school district proposal has been written using the six question prompts as a guide
Liaison Checklist for IEP Completion When Writing an Amendment, a Notice of Proposed Action, or Documenting the District’s Refusal to Act

To be submitted when changes and/or documentation has been made to an ACTIVE IEP following a parent/guardian meeting.

A copy of this checklist must be submitted to the Director of Special Education when an IEP has been amended, or had new documentation added to it during the school year.

Each item number corresponds to a dropdown page on ESPED.

#21 – IEP Amendment Data

• Verified I made changes in the ACTIVE IEP
• Add date of meeting or parent request
• Checked off ‘New’
• Completed 2 dialogue boxes
  o The change to the plan
  o The reason for the change
• Made the proposed changes to the ACTIVE IEP
  o Added services or accommodations
  o Removed services or accommodations
• Corrected the Service Delivery Grid – based on changes

#32 – Notice of Proposed Action

• Checked off “other” under the section “School District Proposes the Following:”
• Completed the ‘notice date’
• Completed the textbox under the question prompts utilizing the 6 questions as my writing guide

#34 – School District Refusal to Act

• Checked off box stating: “Finding of No Eligibility”
• Add date
• Completed the narrative named “Narrative Description of School District Refusal to Act” utilizing the 6 question prompts to complete the narrative
Component #2 - Student Identification and Program Placement – SE 15 – SE 23

- SE 15  Outreach by school district
- SE 16  Screening
- SE 17  Initiation of services at age three and early intervention transition procedures
- SE 18A  IEP development and content
- SE 18B  Determination of placement; provision of IEP to parent
- SE 19  Extended evaluation
- SE 20  Least restrictive program selected
- SE 21  School day and school year requirements
- SE 22  IEP implementation and availability
- SE 23  Reserved
Special Education Procedure:
SE 15 – Outreach by the School District (Student Find)

The district has annual or more frequent outreach and continuous liaison with those groups below from which promotion or transfer of students in need of special education may be expected, or which would include students in need of special education:

- professionals in community
- private nursery schools
- day care facilities
- group homes
- parent organizations
- clinical /health care agencies
- early intervention programs
- private/parochial schools
- other agencies/organizations
- the school or schools are part of the district, including Horace Mann charter schools
- agencies serving migrant and/or homeless persons pursuant to the McKinney-Vento Education Act for Homeless Students

State Requirements

Federal Requirements
34 CFR 300.111; 300.131; 300.209
Outreach by School District – Child Find Procedure  
34 CFR 300.111; 300.131; 300.209

Diman Regional participates internally in Child Find procedures through the Diman Student Success Team process. Because Diman is an application-based vocational high school, outreach activities are internal rather than pertaining to children who are 3-4 years old or to students transitioning from Early Intervention (EI) services. Diman Regional is a regional vocational high school without Early Childhood students and services. Diman Regional does, however, conduct internal screening and tiered evaluation for struggling students who may not have entered as 9th graders already identified as a student with a disability.

Diman’s academic and vocational departments conduct on-going assessments to give parents, staff and administration understanding through data on how groups and individual students are progressing and the efficacy of interventions. The goal for every Diman student is to receive a “regular high school diploma” and so the use of the MCAS Alternate Assessment process has historically been less than the 1% noted by DESE. Diman provides training and research-based materials to staff so that students identified with dyslexia are being effectively taught reading and writing skills. The on-going collection of data allows intervention and analysis of strategies for struggling students. Data related to on-going monitoring as well as disaggregated data from the MCAS by sub-groups. Diman participates in contact with regional organizations with similar populations as well as on-going review of DESE guidelines, including the Massachusetts Dyslexia Guidelines (www.doe.mass.edu/sped/dyslexia-guidelines.pdf).
**Special Education Procedure:**
**SE 16 - Screening**

**NOTE:** Diman is a Vocational-Technical High School and as such, does not screen nor program for children who are three or four. Diman does screen in-coming freshmen as well as students involved in the Student Support Team process.

- The school district conducts screening for three and four-year olds and for all children who are of age to enter kindergarten. Such screening is designed to review a student's development and to assist in identification of those children who should be referred for an evaluation to determine eligibility for special services.
- Participation in the screening program for three and four-year olds is optional on the part of the parents.

**State Requirements**
603 CMR 28.03(1)(d)

**Federal Requirements**
Diman Regional does not participate in the Screening of Early Childhood age children. Diman Regional is a regional vocational high school without Early Childhood students and services.
Special Education Procedure:
SE 17 – Initiation of Services at Age Three and Early Intervention Transition Procedures

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

<table>
<thead>
<tr>
<th>State Requirements</th>
<th>Federal Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>603 CMR 28.06(7)(b)</td>
<td>34 CFR 300.101(b); 300.124; 300.323(b)</td>
</tr>
</tbody>
</table>
Initiation of Services at Age Three and Early Intervention Transition Procedures
CMR 28.06(7)(b)

Diman Regional does not participate in the initiation of services at age three and Early Intervention transition procedures. Diman Regional is a regional vocational high school without Early Childhood students and services.
Special Education Procedure:
SE 18A – IEP Development and Content

- Upon determining the student is eligible for special education, the Team, including the parent(s), develops an IEP at the Team meeting.
- The IEP is completed addressing all elements of the most current IEP format provided by the Massachusetts Department of Elementary and Secondary Education.
- The school district ensures the IEP will not be changed at a higher administrative level within the district.
- Whenever the IEP Team evaluation indicates a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.
- For students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.

State Requirements

Federal Requirements

603 CMR 28.05(3) IDEA-97: 34 CFR Part 300
Procedure for IEP Development and Content
603 CMR 28.05(3)

The following individuals are authorized to commit the resources of the school district:

- Director of Special Education
- Team Chairperson
- Special Education Teachers when acting in the Team Chairperson role.

The development of the Individualized Education Program occurs at the student’s IEP Team meeting.

The Team consists of:
- Director of Special Education acting as Team Chairperson
- Student’s Special Education Liaison (who may also be the student’s Special Educator)
- Academic Teacher
- Vocational Teacher (when applicable)
- Guidance Counselor (when applicable)
- Parent/Guardian/Educational Surrogate
- Student
- Any other provider (when necessary or requested)

The Team reviews and discusses the student’s post-secondary vision, parent and student concerns, current teacher reports, vocational assessments, current and/or previous testing when applicable, MCAS scores, attendance, grades, discipline, and the student’s needs in order to avoid and/or respond to bullying.

A draft IEP is presented at each meeting after the TPF and teacher reports are reviewed and any questions answered. The draft IEP is reviewed page by page, with all members of the Team adding and deleting information as deemed necessary based on consensus of the Team members and using the TPF as guide. If the student’s disability will affect social skills development or the child is on the Autism Spectrum, they may be included in the Social Skills group, which is provided on-site.
Special Education Procedure:
SE 18B – Determination of Placement; Provision of IEP to Parent

- At the Team meeting, after the IEP has been fully developed, the Team determines the appropriate placement in which to deliver the services on the student’s IEP.
- Unless the student’s IEP requires some other arrangement, the student is educated in the school he or she would attend if the student did not require special education.
- The decision regarding placement is based on the IEP, including the types of related services 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.
- 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 the proposal of placement may be delayed according to the provisions of 603 CMR 28.06(2)(c) in a limited number of cases.

State Requirements
603 CMR 28.05(6) and (7); 28.06(2)

Federal Requirements
34 CFR 300.116; 300.325
Within Diman Regional, the IEP Team becomes the Placement Team and identifies placement options after the IEP is written. The Diman Academic and Vocational departments work cooperatively with the Team to implement the placement identified as FAPE in the LRE. Diman works to ensure the student will be placed in the least restrictive environment (LRE) with preference given to pre-approved programs within the school.

Within Diman Regional, the IEP is the basis for the placement decision. Once the Team has decided on the student’s needs and required services, the Team decides which academic and/or vocational placement at Diman is best suited to the student’s needs in order to implement the IEP.

The placement options available at Diman Regional include several different models:

- A modified program with placement in general education settings with specially designed instruction embedded in the settings as well as provided through “pull out” services by special educators. Students in this program will receive English Language Arts during all four years of high school, physical education in all four years, and history in 9th, 11th, and 12th grade, with Biology taking the place of history in the 10th grade in order to prepare the student to take the Biology MCAS exam at the end of their sophomore year. Students are integrated with their peers during the vocational portion of their day, with the only exception being a full year placement in our General Shop program for 9th grade, during which time students explore a variety of shops in order to find the one best fit for the student commencing with sophomore year.

- Students may be placed in a traditional two week setting in which they receive services in English Language Arts and math in a small group setting with a special education teacher. They are then integrated with their peers for the remainder of their academic classes. During the two weeks the student is in their vocational placement they are integrated with their peers 100% of the time.

- Students who require support services in social skill development, organization, or speech and language skills may only have an IEP for these areas and be placed in a traditional two-week program receiving all academic services integrated with their peers.

- Students may be placed in a co-taught general education academic setting where specialized services are embedded in the instructional model.

As students learn and grow at Diman Regional they are continuously assessed for placement in the LRE and are moved throughout placements, through a Team decision, as required. Students may be moved into and out of the standard and modified programs as required.

The student’s Liaison reviews the draft IEP during the IEP Team and following the meeting edits and finalizes the document for proposing by the district to the family. Two copies of the plan are mailed home to the parent/guardian within five school working days.

If the Team finds the student is not appropriately placed at Diman Regional for any reason including, the student changing their mind, the parent changing their mind, the student has been given a vocational assessment by an outside agency and found to not have the prerequisite skills to be successful at Diman, or the student has demonstrated unsafe behavior in their vocational placement and behavior interventions have not worked to correct the student’s behavior, then the IEP Team will reconvene with participants from the sending district to plan the student’s transition back to their sending school district. In all cases of placement decisions, the parent continues to be an equal participant in the Team process.
Special Education Procedure:
SE 19 – Extended Evaluation

If the Eligibility Team finds a student eligible for special education but determines the evaluation information insufficient to develop a full or partial IEP, the Team, with the parents’ consent, can implement an Extended Evaluation period.

- The Extended Evaluation period is not used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines sufficient information is available to determine, in part, necessary annual goals and services, the Team writes a partial IEP, if accepted by the parent, is immediately implemented by the district while the extended evaluation is occurring.
- The Extended Evaluation period is not used to allow additional time to complete the required assessments.
- If the parent consents to an Extended Evaluation, the Team documents its findings and determines what evaluation time period is necessary and the types of information needed to develop an IEP. The Team may decide to meet at intervals during the Extended Evaluation, but in all cases reconvene promptly to develop an IEP when the evaluation is complete.
- The Extended Evaluation may extend longer than one week, but does not exceed eight school weeks.
- The Extended Evaluation setting is not considered a placement.

State Requirements
603 CMR 28.05(2)(b)

Federal Requirements
**Procedure for Extended Evaluation**  
603 CMR 28.05(2)(b)

Within Diman Regional, when an Eligibility Team finds a student eligible for special education services but finds the evaluation information insufficient to develop a full or partial IEP, the Team, with the parent’s consent, may implement the Extended Evaluation process.

Prior to the extended evaluation if the Team determines sufficient information is available to determine, in part, necessary annual goals and services, the Team writes a partial IEP (or a whole IEP), in conjunction with an Extended Evaluation Form if accepted by the parent, is immediately implemented while the Extended Evaluation is occurring. The Extended Evaluation period is not used to deny programs or services to the students, which have been determined necessary by the Team. These include but are not limited to, academic support services, vocational services, assistive technology, social skills group, speech/language therapy, organizational consults, counseling, transportation, etc.

An Extended Evaluation may run from one to eight weeks. The Team may decide to meet during the evaluation period. However, the Team must reconvene as soon as the additional evaluation data is available in order to review assessment data and/or complete the writing of the IEP.

The Extended Evaluation period may not be used to:
- Extend the evaluation timelines for required assessments
- Deny programs or services to a student
- Constitute a temporary placement
Extended Evaluation Form

Evaluation Dates: _ to _

The Team found the student eligible for special education but recommended further assessment before developing a full IEP. The Team developed a partial IEP to be implemented during the extended evaluation period.

Important Details from State Regulation — §603 CMR 28.05(2)(b): An extended evaluation should be used when evaluation information is inconclusive and should not be used to deny programs or services determined necessary by the Team. If the Team has determined eligibility and some necessary objectives and services, then the Team should write a partial IEP and, with parent acceptance, immediately implement the partial IEP while the extended evaluation is occurring. The evaluation may extend from one to eight school weeks but no longer than eight school weeks. The Team may meet at intervals during this period and should reconvene before the end of the evaluation period to develop a full IEP. The extended evaluation should not be used to allow extra time to complete required assessments and is not a placement.

<table>
<thead>
<tr>
<th>1. What are the current evaluation findings?</th>
<th>2. What additional information is needed for evaluation of this student? Identify the specific assessments to be completed.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Location where the extended evaluation will take place. Name of public school/collaborative or approved special education program:</td>
<td>4. What time period (longer than one week but not to exceed eight school weeks) is needed to complete the necessary evaluation(s)?</td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>Contact person and phone number:</td>
<td></td>
</tr>
<tr>
<td>5. Should the Team meet at intervals during the extended evaluation period? If yes, please specify meeting dates, times and location.</td>
<td>6. What date will the Team reconvene to develop a full IEP prior to the end of the evaluation period? Please specify meeting date, time and location.</td>
</tr>
</tbody>
</table>
Extended Evaluation Form

Evaluation Dates: __ to __

Additional Information

Response Section
School Assurance

I certify that the evaluation(s) in this Extended Evaluation are those recommended by the Team and that the indicated evaluation(s) will be provided.

Signature and Role of LEA Representative _________________ Date _________________

Parent Options/Responses

It is important that the district knows your decision as soon as possible. Please indicate your response by checking at least one (1) box and returning a signed copy to the district. Thank you.

☐ I accept the recommended Extended Evaluation.

☐ I reject the recommended Extended Evaluation.

☐ I reject the following portions of the Extended Evaluation with the understanding that any portion(s) that I do not reject will be considered accepted and implemented immediately. Rejected portions are as follows:

________________________________________________________________________

________________________________________________________________________

☐ I request a meeting to discuss the rejected Extended Evaluation or rejected portion(s).

Signature of Parent, Guardian, Educational Surrogate Parent, Student 18 and Over* _________________ Date _________________

*Required signature once a student reaches 18 unless there is a court appointed guardian.

Parent comment: I would like to make the following comment(s) but realize any comment(s) made that suggest changes to the proposed Extended Evaluation will not be implemented unless the Extended Evaluation form is amended.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
Special Education Procedure:
SE 20 – Least Restrictive Program Selected

- 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 he or she needs.
- 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 education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.
- The district does not remove an eligible student from the general education classroom solely because of needed modification in the curriculum.
- 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
M.G.L. c. 71B, s. 3

Federal Requirements
34 CFR 300.114 – 120
Procedure for Selecting the Least Restrictive Program for a Student
M.G.L. c. 71B, s. 3

Within Diman Regional placement for a student requiring specially designed instruction or services is determined after the IEP is written. The ultimate goal of the Team is to choose a placement for a student with a disability, or disabilities, in the least restrictive environment (LRE). To the maximum extent appropriate, students with disabilities are educated with students who are non-disabled; and, special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such, education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. LRE decisions are made based on children's learning needs and vary from child to child.

Procedures for Determining the Least Restrictive Environment in Accordance with the Individuals with Disabilities Education Act (IDEA) 2004

1. The student's eligibility for special education placement is determined by the Individual Education Program Team (IEPT).

2. The student's specific educational needs (cognitive, affective, and psychomotor) are identified and discussed by the IEPT.

3. The specific special education and related services necessary to address the student's needs identified in step 2 are determined by the IEPT.

4. The IEPT should give first consideration to the appropriateness of placement in the general education environment with modifications and supports. The full continuum of services will be considered without regard to current availability.

5. The extent to which the student will not participate in general education programs is determined by the IEPT.

6. In selecting the Least Restrictive Environment (LRE), consideration is given to any potential harmful effects on the student or on the quality of services he/she needs (300.552b).

7. Upon receiving written notice, the parent then has a reasonable time to 1) accept the Team's decision as appropriate, 2) request mediation and/or a hearing related to eligibility, the individualized education program, or the placement decision, or 3) request another IEP.
Special Education Procedure:
SE 21 – School Day and School Year Requirements

- The Team routinely considers the need for an educational program less than or more than the regular school day or school year, including extended day, year, and/or residential services, and indicates on the IEP why the shorter or longer program is necessary.
- The daily duration of the student's program is equal to a regular school day unless the Team states a different duration is necessary to provide a free appropriate public education to the student. In this case, the Team specifies the daily duration of the program and states the reason for the different duration on the IEP.
- Specialized transportation schedules do not impede a student’s access to a full school day and program of instruction.
- An extended day or year program is identified if the student has demonstrated or is likely to demonstrate substantial regression in his or her learning skills and/or substantial difficulty in relearning such skills if an extended program is not provided.
- If residential services are required, the IEP clearly specifies the reasons for such determination and how such services will be coordinated with the day education services provided to the student. Additionally, the annual goals and services on the student's IEP reflect the comprehensive nature of the educational program required.
- Camping or recreation programs provided solely for recreational purposes and with no corresponding IEP goals or specially designed instruction are not to be considered for extended year programs.

State Requirements
M.G.L. c. 69, s. 1G
603 CMR 28.05(4)(d) and (5)(c)

Federal Requirements
34 CFR 300.106
Procedure for School Day and School Year Requirements
M.G.L. c. 69, s. 1G; 603 CMR 28.05(4)(d) and (5)(c)

Within Diman Regional the student’s Team will routinely consider the need for an educational program less than or more than the regular school day or school year, including extended day or year and indicate on the IEP why the shorter or longer program is necessary. If a student requires residential services in order to receive FAPE (free and appropriate education) Diman Regional invites the student’s sending school district for discussion in regards to services and placement.

The student's specific type of disability does not determine eligibility. Diman Regional does not limit ESY (Extended School Year) or ESD (Extended School Day) services to particular categories of disability. Diman Regional does not unilaterally limit the type, amount or duration of ESY/ESD services, we do not have a policy restricting ESY/ESD services to the same period of time it conducts its regular school programs for all students and Diman Regional does not use a lack of resources as a reason for not examining a student's possible need for ESY/ESD services or for not providing ESY services to an eligible student.

Determining a student's need for ESY/ESD services is part of the IEP process. The IEP team considers the need for ESY/ESD services at the initial IEP meeting for a student who is newly eligible for special education and at each IEP meeting thereafter. However, if necessary, an IEP meeting can be called for the express purpose of considering the student's need for ESY/ESD services.

Criteria Used to Determine Eligibility:

Diman Regional uses the following criteria for determining the need for ESY services - regression and recoupment. This involves two findings:

- The IEP team must determine if the student is likely to lose critical skills during the time when services are not delivered — called regression.
- If the likelihood of regression is established, then the IEP team must determine whether the time the student will require re-learning the skills lost — called recoupment — is excessive, particularly when compared to the time it takes a nondisabled student to regain skills lost during a school break.

Determinations about regression and recoupment can be either retrospective (looking back at documentation of a student's previous rates of regression and recoupment) or prospective (looking forward at the potential rate of regression and recoupment based on such information as expert judgments and observations regarding the student's performance after very short breaks such as long weekends). It is not necessary for a student to demonstrate previous regression in order to be eligible for ESY services. However, the determination should be based on objective data from a variety of sources.

Along with regression and recoupment, the IEP Team might consider:

- The nature and severity of the student's disability. While the student's type of disability alone does not determine whether or not there is a need for ESY services, the IEP team should examine whether the nature and severity of his disability are likely to significantly jeopardize his ability to benefit from the instructional program if he experiences a lapse in instructional support.
- The student's degree of progress toward IEP goals. How quickly is the student progressing from year to year without ESY services? Will the loss of services during the school break significantly jeopardize the
student's progress toward the goals? Failure to achieve one or more IEP goals does not necessarily mean the student is eligible for ESY services.

- The student's **emerging skills and breakthrough opportunities**. Is the student at a breakthrough point in a critical skill or skills, such as reading? Will the interruption of services and instruction significantly jeopardize the educational benefit the student is receiving from the specialized instruction or related service(s)?

- The student's **behavior(s)**. Does the student exhibit interfering behaviors — such as aggressive, violent or self-injurious behaviors - prevent him from receiving education benefits from the instructional program during the normal school year? If so, he may need ESY services to keep the interfering behaviors from significantly jeopardizing the educational benefit he can derive from his instructional program during the next school year. Management of such behaviors should be part of the student's current IEP.

Special circumstances or other factors: Are there other special circumstances or factors that will significantly jeopardize the student's receipt of educational benefit during the normal school year? These factors might include:

- The specific areas of the student's curriculum need continuous attention. For example, does the student require an Extended School Day in order to improve in decoding/encoding through a one-on-one reading program?

- The educational structure in the student's home (e.g., having parents who are willing and able to give the child adequate learning support and reinforcement).

Several types of information should be reviewed, such as:

- Current and previous IEP goals
- Classroom tests and grades
- Classroom observations (by qualified professionals such as a school psychologist or social worker)
- Standardized tests, including statewide assessments in key academic subjects such as reading and math
- Student work samples
- Progress monitoring data
- Attendance information (e.g., frequent illness has kept the student out of school, causing him to lose ground academically)
- Parent interviews and input
- Expert opinions from professionals outside the school

Some additional factors to keep in mind are:

- The determination of whether a student is eligible for ESY/ESD should not be made so late in the normal school year the family would not be able to exercise its due process rights to challenge the decision.
- Eligibility for ESY/ESD services one year does not guarantee future eligibility. The determination is made every year — preferably as part of the student's annual IEP meeting.
- Eligibility for ESY/ESD services includes the provision of transportation to and from the location of the services. If the IEP team determines the student needs specialized transportation from home to the location where the child receives ESY/ESD services, such transportation must be provided.
- ESY/ESD services are not required in order to maximize a student's potential. Just as students without disabilities do not have a right to an education designed to maximize their potential, neither are school districts required by IDEA to maximize the potential of students with disabilities.
Finally, ESY/ESD services are not necessarily a continuation of the same instructional program and related services the student receives during the normal school year as prescribed by his/her IEP. Diman Regional has flexibility in determining what ESY/ESD services might be needed. For example, ESY/ESD services may take the form of teachers and parents working together by providing materials for home use with progress monitored by the teacher. Independent service providers or agencies - such as those used by the school district to provide supplemental educational services (SES) under Title I of No Child Left Behind — might be used to deliver ESY/ESD services, such as individualized reading instruction.

Once the IEP team agrees upon ESY/ESD services, specifics about those services, where the student will receive the services, and how his progress will be measured and reported will be included in the student's IEP.
Extended School Year IEP Team Form

Student Name: ________________________________  IEP Team Date: ___________

Extended school year (ESY) services are required if the IEP Team decides that a free and appropriate public education (FAPE) will not be provided without the additional support during vacation breaks or holidays. The IEP Team should review the regression/recoupment data provided by Team members, note the source/type and use the following questions to then make the decision whether or not ESY is necessary. If “Yes” is answered in one or more areas after a review of the data, then ESY services may be needed.

1. At the start of the school year, with a review period equal to that of general education students, was the student unable to regain skills over the break that would otherwise be expected in view of the student’s type of disability?
   Yes _____  No _____

Data Reviewed (check all that apply):
   ◯ Current and previous IEP goals
   ◯ Classroom tests and grades
   ◯ Classroom observations by professionals such as a School Psychologist or Student Liaison
   ◯ Standardized tests, including MCAS reading and math
   ◯ Student work samples pre and post breaks
   ◯ Progress monitoring data
   ◯ Attendance information (e.g., frequent illness that has kept the student out of school, causing ground to be lost academically)
   ◯ Parent interviews and input
   ◯ Expert opinions from professionals outside the school
   ◯ Other: ________________________________

2. Does this student display a loss of previously taught skills and an inability to regain those skills following interruptions during the regular school year (i.e., Thanksgiving break, December holiday break, February break, April break)?
   Yes _____  No _____

Data Reviewed (check all that apply):
   ◯ Current and previous IEP goals
   ◯ Classroom tests and grades
3. Does the data indicate the likelihood that the student is at a crucial stage in the development of crucial skills/emerging skills/breakthrough opportunities, and that a lapse in services would substantially jeopardize the student's chances of learning that skill?

Yes ______  No ______

Data Reviewed:

- Current and previous IEP goals
- Classroom tests and grades
- Classroom observations by professionals such as a School Psychologist or Student Liaison
- Standardized tests, including MCAS such as reading and math
- Student work samples
- Progress monitoring data
- Attendance information (e.g., frequent illness that has kept the student out of school, causing ground to be lost academically)
- Parent interviews and input
- Expert opinions from professionals outside the school
- Other: __________________________________________

4. What is the estimated amount of time it may take this student to regain the prior level of knowledge, skills, benefits or functioning following a school break?

1 Month or less ______  Up to 3 months ______  4 – 6 months ______

Data Reviewed (Check all that apply):

- Current and previous IEP goals
- Classroom tests and grades
Classroom observations by professionals such as a School Psychologist or Student Liaison
Standardized tests, including MCAS such as reading and math
Student work samples
Progress monitoring data
Attendance information (e.g., frequent illness that has kept the student out of school, causing ground to be lost academically)
Parent interviews and input
Expert opinions from professionals outside the school
Other: ________________________________

5. Are there unique circumstances or other factors that indicate the likelihood that FAPE would not be provided without ESY services? Examples of students who may require ESY services under this criterion include, but are limited to, the following. See also the list of possible criteria provided on page 3 from the DESE Technical Advisory on ESY.

- A student who is receiving vocational or transition services.
- A student who requires ESY services in order to remain in his or her existing LRE (least restrictive environment) and ESY will prevent movement to a more restrictive setting.
- A student whose frequent health-related absences have significantly impeded progress on goals related to critical learning or critical life skills.

Yes _____ No _____

Select one or more criteria as reason Team identified ESY as necessary:

- the level of significant regression
- the amount of time required for recoupment
- the degree of the student's impairment
- the parents' ability to provide structure at home
- the student's rate of progress
- the student's specific behavior and/or physical problems
- the availability of alternative resources
- the student's ability to interact with non-disabled peers
- the specific curricular (academic and/or vocational) areas in which the student needs continuing attention
- the vocational and transition needs of the student
whether the service requested is "extraordinary" rather than usual in consideration of the child's condition.
Special Education Procedure:
SE 22 – IEP Implementation and Availability

- Where the IEP of the student in need of special education has been accepted in whole or in part by the student's parent, the school district provides the mutually agreed upon services without delay.
- At the beginning of each school year, the district has an IEP in effect for each eligible student within its jurisdiction.
- Each teacher and provider described in the IEP are informed of his or her specific responsibilities related to the implementation of the student’s IEP and the specific accommodations, modifications, and supports must be provided for the student under it.
- The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved.

State Requirements
603 CMR 28.05(7)(b); 28.06(2)(d)(2)

Federal Requirements
34 CFR 300.323
Diman Regional is a *regional vocational technical high school*. The Greater Fall River School District, composed of Diman Regional, does not have any students in Out-of-District-Placements. Diman Regional ensures IEPs are implemented without delay upon parent/guardian consent and at the start of each school year there is an IEP in place for each eligible student. Each teacher/provider described in the IEP is informed by the Director of Special Education, of his/her specific responsibilities related to the implementation of the IEP and the specific accommodations, modifications, and supports must be provided for the student under it. Each teacher/provider described in the IEP is given access to a summary IEP for students under their care.

The District oversees, in an ongoing manner, the full implementation of each in-district placement it proposes which has been given consent by a student’s parents/guardians. Diman Regional makes a good faith effort to assist the student to achieve the goals and objectives/benchmarks listed in the IEP. Diman Regional provides all programs and services without expense to the student's parents/guardians. Diman Regional does not delay implementation of any part of the IEP due to lack of classroom space or personnel. If for any reason a delay in services were due to lack of classroom space or personnel the school district would immediately inform the parents/guardians in writing of the delay, the reason for the delay, and the actions the school district is taking to address the delay. With agreement from the parents/guardians alternative methods for implementing the IEP programs would commence immediately until said delays could be resolved.
Component #3 - Parent and Community Involvement – SE 24 – SE 32

- SE 24  Notice to parent regarding proposal or refusal to initiate or change the identification, evaluation, or educational placement of the student or the provision of FAPE
- SE 25  Parental Consent in Accordance with State and Federal Law, the School District Obtains Informed Parent Consent
- SE 25A  Sending a Copy of Notice to Special Education Appeals
- SE 25B  Resolution of disputes
- SE 26  Parent participation in meetings
- SE 27  Content of team meeting notice to parents
- SE 28  Reserved
- SE 29  Communications are in English and primary language of the home
- SE 30  Reserved
- SE 31  Reserved
- SE 32  Parent advisory council for special education
Special Education Procedure:
SE 24 - Notice to Parent Regarding Proposal or Refusal to Initiate or Change the Identification, Evaluation, or Educational Placement of the Student or the Provision of FAPE

- A student may be referred for an evaluation by a parent or any person in a care giving or professional position concerned with the student's development.
- When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the student's parent(s) within 5 school days of receipt of the referral, along with the district's notice of procedural safeguards. The written notice meets all of the content requirements set forth in M.G.L. c.71B, §3, and in federal law, seeks the consent of the parent for the evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student's skills or abilities and to consult regarding the evaluators to be used.
- For all other actions, the district gives notice complying with federal requirements within a reasonable time.
- The school district provides the student's parent(s) with an opportunity to consult with the special education administrator or his/her designee to discuss the reasons for the referral and the nature of the proposed evaluation.
- The district provides parents with an opportunity to consult with the administrator of special education or his/her designee regarding the evaluators to be used and the proposed content of all required and optional assessments.
- The school district does not limit a parent’s right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education may be described in the district’s curriculum accommodation plan, including any pre-referral program.
- The school district refuses to conduct an initial evaluation only when the circumstances of a student make clear there is no suspicion of a disability and there is no concern about the student’s development.

State Requirements
M.G.L. c. 71B, Section 3;

Federal Requirements
34 CFR 300.503; 300.504(a)(1)
Procedure for Notice to Parent Regarding Proposal or Refusal to Initiate or Change the Identification, Evaluation, or Educational Placement of the Student or the Provision of FAPE
M.G.L. c. 71B, Section 3

Within Diman Regional, a student may be referred for an evaluation by a parent or any person in a care giving or professional position concerned with the student's development.

When a student is referred for an evaluation to determine eligibility for special education, the school district sends written notice to the student's parent(s) within 5 school days of receipt of the referral, along with the district's notice of procedural safeguards. The written notice meets all of the content requirements set forth in M.G.L. c.71B, §3, and in federal law, and seeks the consent of the parent for the evaluation to occur, and provides the parent with the opportunity to express any concerns or provide information on the student’s skills or abilities and to consult regarding the evaluators to be used.

For all other actions, the district gives notice complying with federal requirements within the specified time. Diman provides the student's parent(s) with an opportunity to consult with the Director of Special Education to discuss the reasons for the referral and the nature of the proposed evaluation. The district provides parents with an opportunity to consult with the Director of Special Education regarding the evaluators to be used and the proposed content of all required and optional assessments.

Diman Regional does not limit a parent's right to refer a student for timely special education evaluation because the district has not fully explored and/or attempted some or all of the available instructional support programs or other interventions available in general education may be described in the district's curriculum accommodation plan, including any pre-referral program.

Diman Regional will refuse to conduct an initial evaluation only when the circumstances of a student make clear there is no suspicion of a disability and there is no concern about the student's development.
Special Education Procedure:
SE 25 - Parental Consent in Accordance with State and Federal Law, the School District Obtains Informed Parental Consent as Follows:

- The school district obtains written parental consent before conducting an initial evaluation and before making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education.
- The school district obtains consent before initiating extended evaluation services.
- The school district obtains consent to the services proposed on a student's IEP before providing such services.
- A parent is informed consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as a condition of any benefit to the child.
- When the participation or consent of the parent is required and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation.
- If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a re-evaluation or to placement in a special education program subsequent to the initial placement, the school district considers with the parent whether such action will result in the denial of a free appropriate public education to the student. If, after consideration, the school district determines the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through the BSEA.
- If the parent has given consent for special education services and then, at any time following, revokes his/her consent to the student’s special education services in writing, the district is obligated to discontinue all special education services and may not use mediation or request a due process hearing to obtain agreement or a ruling requiring the continuation of services, consistent with federal regulation. If a parent revokes consent in writing, the district must act promptly to provide written notice to the parent/guardian of the district’s proposal to discontinue services based on the revocation of consent, as well as information on how the parent can obtain a copy of his/her right to procedural safeguards. The district must provide the notice a reasonable time before the district intends to discontinue the services.

State Requirements
603 CMR 28.07(1)

Federal Requirements
34 CFR 300.300
Procedure for Parental Consent in Accordance with State and Federal Law, Diman
Regional Obtains Informed Parental Consent as Follows
603 CMR 28.07(1)

- Diman Regional obtains written parental consent before conducting an initial evaluation and before making an initial placement of a student in a special education program. Written parental consent is obtained before conducting a re-evaluation and before placing a student in a special education placement after the initial placement in special education.
- Diman Regional obtains consent before initiating Extended Evaluation services.
- Diman Regional obtains consent to the services proposed on a student’s IEP before providing such services.
- A parent or a student age 18 or older is informed consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as a condition of any benefit to the child.
- When the participation or consent of the parent is required, and the parent fails or refuses to participate, the attempts to secure the consent of the parent are implemented through multiple attempts using a variety of methods which are documented by the district. Such efforts may include letters, written notices sent by certified mail, electronic mail (e-mail), telephone calls, or, if appropriate, TTY communications to the home, and home visits at such time as the parent is likely to be home. Efforts may include seeking assistance from a community service agency to secure parental participation.
- If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, the school district is unable to obtain parental consent to a re-evaluation or to placement in a special education program subsequent to the initial placement, the school district considers, with the parent, whether such action will result in the denial of a free appropriate public education to the student. If, after consideration, the school district determines the parent’s failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through the BSEA.
- If the parent has given consent for special education services and then, at any time following, revokes his/her consent to the student’s special education services in writing, the district is obligated to discontinue all special education services and may not use mediation or request a due process hearing to obtain agreement or a ruling requiring the continuation of services, consistent with federal regulation. If a parent revokes consent in writing, the district must act promptly to provide written notice to the parent/guardian of the district’s proposal to discontinue services based on the revocation of consent, as well as information on how the parent can obtain a copy of his/her right to procedural safeguards. The district must provide the notice a reasonable time before the district intends to discontinue the services.
Special Education Procedure:
SE 25A – Sending a Copy of Notice to Special Education Appeals

Within 5 calendar days of receiving a notice a parent is requesting a hearing or has rejected an IEP, proposed placement, or finding of no eligibility for special education, the school district sends a copy of the notice to the BSEA.

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<td>603 CMR 28.08(3)(b)</td>
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Within 5 calendar days of receiving a notice a parent is requesting a hearing or has rejected an IEP, proposed placement, or finding of no eligibility for special education, the Director of Special Education within Diman Regional sends a copy of the notice to the BSEA (Bureau of Special Education Appeals)
Special Education Procedure:
SE 25B – Resolution of Disputes

- Within 15 days of receiving notice a parent has made an official hearing request to Special Education Appeals, the district convenes a meeting with the parent(s) and the relevant member(s) of the IEP Team, including a representative of the district with decision-making authority, to try to resolve the dispute. The resolution session may be waived if the district and the parents agree in writing to do so or if they agree to use mediation instead.

- If the dispute is resolved at the resolution session, the parent(s) and a representative of the district with the authority to do so sign a legally binding agreement, enforceable in state or federal court. Any party may void this agreement within 3 business days of the signing.

State Requirements                          Federal Requirements
34 CFR 300.510
Procedure for Resolution of Disputes
34 CFR 300.510

Diman Regional maintains a problem resolution procedure allowing parents/guardians to present concern/concerns to the Director of Special Education and receive a response related to the concern/concerns in a timely manner. Diman Regional does not delay or deny a parent's right to access other dispute resolution mechanisms. If the dispute cannot be resolved within the school district a parent or a school district, except as provided in 603 CMR 28.08(3)(c) and (d), may request mediation and/or a hearing at any time on any matter concerning the eligibility, evaluation, placement, IEP, provision of special education in accordance with state and federal law, or procedural protections of state and federal law for students with disabilities with the BSEA. A parent of a student with a disability may also request a hearing on any issue involving the denial of the free appropriate public education guaranteed by Section 504 of the Rehabilitation Act of 1973, as set forth in 34 CFR §§104.31-104.39.

Within 15 days of receiving notice a parent has made an official hearing request to Special Education Appeals, Diman Regional convenes a meeting with the parent(s) and the relevant member(s) of the IEP Team, including the Director of Special Education (a representative of the district with decision-making authority) to try to resolve the dispute. The resolution session may be waived if the district and the parents agree in writing to do so or if they agree to use mediation instead.

If the dispute is resolved at the resolution session, the parent(s) and the Director of Special Education, a representative of Diman Regional with the authority to do so, sign a legally binding agreement, enforceable in state or federal court. Any party may void this agreement within 3 business days of the signing.
Special Education Procedure:  
SE 26 – Parent Participation in Meetings

- The district ensures one or both parents of a student are members of any group that makes decisions on the educational placement of their student.
- The administrator of special education notifies parent(s) in writing of any Team meeting early enough to ensure they have an opportunity to attend.
- The district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.
- If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing.
- In cases where the district, after reasonable efforts, is unable to obtain the parents’ participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents’ participation.

State Requirements
603 CMR 28.02(21)

Federal Requirements
34 CFR 300.322; 300.501
Procedure for Parent Participation in Meetings
603 CMR 28.02(21)

All efforts are made by Diman Regional to ensure one or both parents of a student are members of any group that makes decisions on the educational placement of their student. The Director of Special Education notifies parent(s) in writing of any Team meeting early enough to ensure they have an opportunity to attend. The school district schedules the meeting at a mutually agreed upon time and place; and documents such efforts.

If neither parent can attend, the district uses other methods to ensure parent participation, including individual or conference telephone calls, or video conferencing. In cases where the school district, after reasonable efforts, is unable to obtain the parents’ participation in Team meeting discussions and decisions, the district conducts the Team meeting and documents its attempts to facilitate the parents’ participation.
Special Education Procedure:
SE 27 – Content of Team Meeting Notice to Parents

The parent notice of any Team meeting states the purpose, time, and location of the meeting as well as who will be in attendance.

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<td>34 CFR 300.322(b)(1)(i)</td>
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In order to provide parents the opportunity to prepare and more fully participate in the Team meeting, discussions, and decisions, the parent notice sent from the Director of Special Education at Diman Regional of any Team meeting states the purpose, time, and location of the meeting as well as who will be in attendance. Parents are notified early enough to ensure they will be able to attend, and meetings are scheduled at a mutually agreed upon time and place.
Special Education Procedure:
SE 29 – Communications are in English and Primary Language of Home

- Communications with parents are in clear and commonly understood words and are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs, and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and all such communications are documented.

- If the district provides notices orally or in some other mode of communication is not written language, the district keeps written documentation (a) it has provided such notice in an alternate manner, (b) of the content of the notice and (c) of the steps taken to ensure the parent understands the content of the notice.

State Requirements
603 CMR 28.07(8)

Federal Requirements
34 CFR 300.322(e); 300.503(c)
**Procedure for Ensuring Communications are in English and Primary Language of Home**

**603 CMR 28.07(8)**

Diman Regional ensures all communications with parents are in clear and commonly understood words and are in both English and the primary language of the home if such primary language is other than English. Any interpreter used in fulfilling these requirements is fluent in the primary language of the home and familiar with special education procedures, programs, and services. If the parents or the student are unable to read in any language or are blind or deaf, communications required by these regulations are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and all such communications are documented.

If Diman Regional provides notices orally or in some other mode of communication is not written language, the district keeps written documentation (a) it has provided such notice in an alternate manner, (b) of the content of the notice and (c) of the steps taken to ensure the parent understands the content of the notice.
Special Education Procedure:
SE 32 – Parent Advisory Council for Special Education

- The school district has established a district-wide parent advisory council on special education.
- Membership on the council is offered to all parents of students with disabilities and other interested parties.
- The parent advisory council duties include but are not limited to: advising the district on matters pertaining to the education and safety of students with disabilities; and meeting regularly with school officials to participate in the planning, development, and evaluation of the school district’s special education programs.
- The parent advisory council has established by-laws regarding officers and operational procedures.
- The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources.
- The school district conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws.

State Requirements
M.G.L. c. 71B, section 3;
603 CMR 28.03(1)(a)(4); 28.07(4)

Federal Requirements

M.G.L. c. 71B, section 3;
603 CMR 28.03(1)(a)(4); 28.07(4)
Procedure for Establishing and Maintaining a Parent Advisory Council for Special Education

M.G.L. c. 71B, section 3;
603 CMR 28.03(1)(a)(4); 28.07(4)

Diman Regional has established a district-wide parent advisory council on special education. Membership on the council is offered to all parents of students with disabilities and other interested parties. The parent advisory council duties include but are not limited to: advising the district on matters pertaining to the education and safety of students with disabilities; and meeting regularly with school officials to participate in the planning, development, and evaluation of the school district’s special education programs.

Diman Regional has a parent advisory council with established by-laws regarding officers and operational procedures. The parent advisory council receives assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. Diman Regional conducts, in cooperation with the parent advisory council, at least one workshop annually within the district on the rights of students and their parents and guardians under the state and federal special education laws.
BYLAWS OF THE SPECIAL NEEDS PARENT ADVISORY COUNCIL

ARTICLE I- NAME

The name of the organization shall be “Special Needs Parent Advisory Council” (SVaNPAC) and was established in accordance with Massachusetts General Laws

ARTICLE II- PURPOSE

A. To participate in developing and reviewing the Greater Fall River Regional Vocational School’s Annual Plan, including program and budget for Special Education.
B. To inform parents/guardians about agencies, services, and rights for special needs students.
C. To understand the rules and regulations governing special education.
D. To provide support to parents/guardians and educators regarding specific educational and training programs.
E. To work for cooperative spirit and sharing of ideas between the school and the home.
F. To organize special needs programs to benefit parents/guardians, children and educators.
G. To evaluate the goal and objectives of the organization.

ARTICLE III- BOARD OF DIRECTORS

A. The Board of Directors shall be composed of parents.
B. There shall be three elected officers voted by a majority of the board each year, i.e., President, Vice President, and Secretary.
C. All Board Members for the next school year shall be voted by a majority vote of the organization at the last Advisory Board Meeting.
D. Vacancies on the Board shall be filled by a member of the organization by a majority vote of the Board.
E. Members of the Board of Directors must be voting members of the organization, with the exception of the Director of Special Education, who will have the right to participate in all activities of the organization but will not cast a vote.

**ARTICLE IV- DUTIES OF OFFICERS**

A. The President shall schedule and preside at all meetings and may have other duties incidental to a Board Member.

B. The Secretary shall be responsible for the minutes of all meetings and may have other duties incidental to a Board Member.

**ARTICLE V- MEETINGS OF THE BOARD OF DIRECTORS**

A. Any person who is a parent/guardian or educational advocate of a Diman student with interest in the Special Needs program is eligible for membership within the district.

B. General Meetings will be aligned with the Diman Advisory Board schedule.

C. All members of the organization shall have one vote.

**ARTICLE VII- GENERAL MEETINGS**

A. There shall be a minimum of two general meetings during the year.

B. The choice of speaker, if any, shall be invited based on a majority vote by the Board.

C. A quorum at general meetings shall consist of five members of the organization.

D. A majority vote at a general shall be more than 50% of the members present.

**ARTICLE VIII- AMENDMENTS BY THE LAW**

A. Any member of the organization may suggest or propose an amendment to the Bylaws. The proposed amendment shall be discussed at a scheduled meeting of the board. The amendment shall be presented for a vote.
Committee Name: Special Education Parent Advisory Board

Date of Meeting:

Minutes Prepared By:

1. Purpose of Meeting

   Agenda
   - Welcome
   - Approve minutes from last meeting
   - Election
   - Department updates
   - Special Education Department Strategic Plan
   - Parent Rights & Responsibilities Workshop

2. Attendance at Meeting

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<th>MEMBERS/DEPARTMENT</th>
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<th>ABSENT/REASON</th>
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### 3. Meeting Notes, Decisions, Issues

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### 4. Action Items

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### 5. Next Meeting

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<td>Objectives:</td>
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Component #4 - Curriculum and Instruction SE 33 – SE 42

- SE 33  Involvement in general curriculum
- SE 34  Continuum of alternative services and placements
- SE 35  Assistive technology; specialized materials and equipment
- SE 36  IEP implementation, accountability, and financial responsibility
- SE 37  Procedures for approved and unapproved out-of-district placements
- SE 38  Special education in institutional settings (SEIS)
  - SE 39A  Procedures used to provide services to eligible students enrolled in private schools at private expense whose parents reside in the district
  - SE 39B  Procedures used to provide services to eligible students who are enrolled at private expense in private schools in the district and whose parents reside out of state
- SE 40  Instructional grouping requirements for students aged five and older
- SE 41  Age span requirements
- SE 42  Programs for young children three and four years of age
Special Education Procedure:
SE 33 – Involvement in the General Curriculum

- At least one member of all IEP Teams is familiar with the general curriculum and is able to discuss an eligible student’s appropriate access to the general curriculum.
- In the IEP, the district documents the student’s participation in the general curriculum.

State Requirements  
603 CMR 28.05(4)(a) and (b)  

Federal Requirements  
34 CFR 300.320(a)(1)(i) and a(2)(i)(A);  
300.321(a)(4)(ii)
Procedure for Involvement in the General Curriculum
603 CMR 28.05(4)(a) and (b)

Within Diman Regional, at least one member of all students’ IEP Teams is familiar with the general curriculum and is able to discuss an eligible student’s appropriate access to the general curriculum. The Team member may include, but is not limited to, the student’s guidance counselor, a general education teacher of the student, the Director of Special Education, or the student’s liaison. In the IEP Diman Regional documents the student’s participation in the general curriculum on an annual basis and the Team’s recommendations for placement in subsequent school years. Placement in the general curriculum may vary from one school year to the next based on a student’s needs and the appropriateness of access to the general curriculum for the student.
Special Education Procedure:
SE 34 – Continuum of Alternative Services and Placements

Procedure for Continuum of Alternative Services and Placements
603 CMR 28.05 (7)(b)

Diman is a regional vocational technical high school. We offer students individualized education programs, following the blueprint of each IEP. The focus of Diman’s current program model is provision of any needed aids, services, staff or support to enable a student with disabilities to successfully access the curriculum through participation in co-taught academic courses. Should a student require more intensity of instruction, more tutorial or specialized programming can be designed. In that way a full range of in-house programs, ranging from full inclusion to completely individualized services are possible, reflecting 603CMR 28.06 (a). Should a student’s needs be so intensive and require adaptations that could require a substantially separate program not available at Diman, consideration will be given to either developing a unique in-district program at Diman for the student or requesting involvement of the school district in which the student resides. We offer related services and individualized transition services to students from grade 9 to age 22.

Diman Regional is committed to our students with disabilities, offering both co-taught, small group and individual specialized instruction. In addition, students are provided related services including speech/language services, occupational therapy, social skills training, assistive technology, nursing and psychological services. Should the IEP Team determine additional specialized support services are required, they are contracted through outside area agencies.

Diman Regional collaborates with the Southeast Center for Independent Living, the Massachusetts Department of Children and Families, the Massachusetts Rehabilitation Commission and the Department of Developmental Services in linking and accessing in-school and transitional services for identified students with disabilities.
Diman is a regional vocational technical high school. We offer students a full-range of in-house programs, ranging from Full inclusion substantially separate, related services, and transition services to age twenty-two.

Diman Regional is committed to our students with disabilities determining needs at their Team meeting. The range of services are from inclusion (co-taught) or substantially separate settings. In addition, students are provided related services such as speech and language services, occupational therapy, social skills group and counseling.

Diman Regional also collaborates with following agencies for transition service: Southeast Center for Independent Living, Massachusetts Rehabilitation Commission and Department of Developmental Services.
Special Education Procedure:
SE 35 – Assistive Technology: Specialized Materials and Equipment

- Specialized materials and equipment specified in IEPs are provided.
- The school district provides evidence assistive technology is considered for each eligible student and if the student needs it in order to receive a free, appropriate public education described in the IEP and provided by the district.

State Requirements | Federal Requirements
---------------------|------------------------
34 CFR 300.105; 300.324(a)(2)(v)
1. The IEP Team meets and utilizes the Assistive Technology (AT) screening tool (Diman Assistive Technology Consideration Checklist attached) to add specific AT accommodations or supports.

2. During development of the IEP, the Team identifies goals, objectives, service providers and any training needed if continued use of the AT involves a device-related skill (e.g., utilizing specific software/computer platforms for work products); specific input is sought from both/either OTR and PT for on-site training and implementation. Diman has contracted with Easter Seals as a specific resource to provide needed expertise to program staff as needed.

3. If the screening process or during the IEP Team meeting the parent shares an outside resource’s (e.g., CHMC, SLP, OTR, Agency provider) report/evaluation/information indicating the need for a specific type of unique device (e.g., augmentative communication, orthotic, mobility, hearing, etc.) the IEP Team will create a partial IEP that includes interim support measures and UDI directives while obtaining consent for evaluation from the parent(s)/guardian. An Action Plan is created and shared with staff pending further detailed evaluation and provision of devices/materials. The Diman IEP Team will identify the outside resource (CAST, Easter Seals, Children’s Hospital Augmentative Communication Program) to set-up an evaluation with recommendations for purchase and training of any recommended devices or materials.

4. Following receipt of the more in-depth and detailed evaluation specific to the individual student’s needs, the IEP is updated if needed, to include any recommended devices with accommodations included under the PLEP A or B. Any needed training for staff or student is included in the Additional Information section of the IEP and in the N1. If specific assistive devices are needed, purchases are facilitated through the Diman IT Department. Training on the devices is arranged, with a liaison from the IT Department included to act as an immediate on-site resource in the event of any emerging issues during implementation of use with the student. In addition, parents are offered training and information in the event the device travels between school and home.
Diman’s Assistive Technology Consideration Checklist

Writing

Mechanics of Writing

- Pencil/pen with adaptive grip
- Adapted paper (e.g., raised line, highlighted lines)
- Slant-board
- Typewriter
- Portable word processor
- Computer
- Other _________________________

Alternate Computer Access

- Keyboard with easy access
- Key guard
- Arm support
- Trackball/trackpad/joystick with on screen keyboard
- Alternate keyboard
- Switch with scanning
- Voice recognition software
- Word prediction to reduce keystrokes
- Other _________________________

Composing Written Material

- Word cards/word book/word wall
- Pocket dictionary/thesaurus
- Electronic/talking electronic dictionary/thesaurus/spell checker
- Word processor with spell checker/grammar checker
- Word processor with word prediction to facilitate spelling and sentence construction
- Talking word processor for multisensory typing
- Voice recognition software
- Multimedia software for expression of ideas (assignments)
- Other _________________________
**Reading, Studying and Math**

**Reading**

- Changes in text size, spacing, color, background color
- Use of pictures with text
- Talking electronic device to pronounce challenging words
- Scanner with talking word processor
- Electronic books
- Other _________________________

**Learning/Studying**

- Low tech aids to find materials (e.g., index tabs, color coded folders)
- Highlight text (e.g., markers, highlight tape, ruler, etc.)
- Voice output reminders for assignments, steps of task, etc.
- Software for manipulation of objects/concept development input device (e.g., switch, touch window)
- Software for organization of ideas and studying
- Recorded material (e.g., books on tape, taped lectures with number coded index)
- Other _________________________

**Math**

- Abacus/math line
- Calculator/calculator with print out
- Talking calculator
- Calculator with large keys and/or large LCD print out
- On screen calculator
- Software with templates for math computation (may use adapted input methods)
- Tactile/voice output measuring devices (e.g., clock, ruler)
- Other _________________________

**Communication**

- Device with speech synthesis for typing
- Other _________________________
Vision

- Eye glasses
- Magnifier
- Large print books
- Screen magnifier (mounted over screen)
- Screen color cornets
- Screen magnification software
- Screen reader
- Other _________________________

Hearing

- Hearing aid
- Classroom amplification
- Captioning
- Signaling device (e.g., vibrating pager)
- Screen flash for alert signals on computer
- Other _________________________

Positioning and Seating

- Non-slip surface on chair to prevent slipping
- Bolster, rolled towel, blocks for feet
- Adapted/alternate chair, side layer, stander
- Other _________________________
Student Name: ____________________  Today's Date: ________________
Year of Graduation: _____________  AT Plan Review Date: _______

Assistive Technology Implementation Plan

Point of Contact: ________________________________

IMPLEMENTATION TEAM

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<tr>
<th>Name</th>
<th>Role</th>
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EQUIPMENT

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<th>Equipment &amp; Software to be Used</th>
<th>Status (e.g. Owned by school, will purchase, borrow)</th>
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## EQUIPMENT TASKS

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### TRAINING

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<tr>
<th>Training Need</th>
<th>Trainees</th>
<th>Trainer</th>
<th>Dates &amp; Times</th>
<th>Follow-up /Long-Term Plan</th>
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### CLASSROOM IMPLEMENTATION

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<th>Curriculum/Domain</th>
<th>Person(s) Responsible</th>
<th>AT Needed to Accomplish the Goal</th>
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### HOME IMPLEMENTATION

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<th>IEP Goal</th>
<th>Curriculum/Domain</th>
<th>Person(s) Responsible</th>
<th>AT Needed to Accomplish the Goal</th>
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### MONITORING/EVALUATION
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<th>Goal</th>
<th>Instructional Strategies</th>
<th>Recording System &amp; Frequency</th>
<th>Persons Responsible for Implementation / Data Collection</th>
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Special Education Procedure:
SE 36 – IEP Implementation, Accountability and Financial Responsibility

- The district oversees, in an ongoing manner, the full implementation of each in-district and out-of-district IEP it proposes, which has been consented to by a student’s parents.

- The district provides all programs and services without expense to the student’s parents.

State Requirements
603 CMR 28.06(3)

Federal Requirements
34 CFR 300.17(a); 300.101-104; 300.154
Diman Regional oversees, in an ongoing manner, the full implementation of each in-district IEP it proposes, for which consent has been obtained from the student (if age 18 or older) or the student’s parents/guardians/educational surrogate parents. Diman Regional provides all programs and services without expense to the student’s parents and/or guardians. The following describes more in-depth the role and responsibility of the Student Liaison who oversees compliance with the IEP provisions as well as the following:

- Ensuring all services are delivered as designed in the IEP.
- Monitoring to ensure that goals and objectives remain attainable and so continue to be appropriate throughout the IEP period.
- Acting as Case Manager for staff providing services and for parents.
- Completing paperwork in a timely fashion as required, including obtaining required reports, updates and forms from staff.
Special Education Procedure:
SE 37 – Procedures for Approved and Unapproved Out-of-District Placements

- **Individual student program oversight:** The school district monitors the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent this monitoring requires site visits, such site visits are documented and placed in the students’ files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Elementary and Secondary Education, or to the out-of-district program.

- **Student right to full procedural protections:** The school district retains full responsibility for ensuring the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time a student is enrolled in the out-of-district program are initiated by the school district in coordination with the out-of-district program.

- **Preference to approved programs:** The school district, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with LRE requirements. When an approved program is available to provide the services on the IEP, the district makes such placement in the approved program in preference to any program not approved by the Department.

- **Written contracts:** The school district enters into written contracts with all public and private out-of-district placements. At a minimum, such contracts meet the content requirements of 28.06(3)(f)(1-5).

- **Use of unapproved programs:** A school district places a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09 ensures such programs and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student’s IEP. Students placed by the school district in such programs are entitled to the full protections of state and federal special education law and regulation.

- **Placement documentation:** The following documentation is maintained by the school district pursuant to its placement of students in unapproved out-of-district programs:
  a. **Search:** The administrator of special education documents the search for and unavailability of a program approved by the Department. The administrator places such documentation in the student record.
  b. **Evaluation of facility:** The administrator of special education or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such a program. Such evaluation determines whether the unapproved facility can appropriately implement the student’s IEP in a safe and educationally appropriate environment. Such evaluation determines whether the unapproved facility can and will provide the student with all the rights accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review. To the extent this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.
  c. **School district approval to operate a private school in Massachusetts:** If services in an unapproved program are provided in a school setting, the administrator of special education ensures such
school has received approval from the school committee where the private school is located under M.G.L. c.76, §1 and a copy of such approval is retained in the student record.

d. **Pricing**: Pursuant to the requirements for Compliance, Reporting, and Auditing for Human and Social Services at 808 CMR 1.00, the administrator obtains pricing forms required to set program prices for programs receiving publicly-funded students. Such pricing forms are completed by the proposed placement and document the price proposed for the student’s tuition as the lowest price charged for similar services to any student.

e. **Notification of the Department of Elementary and Secondary Education**: Prior to placement, if the Team determines placement in such facility is appropriate, the administrator notifies the Department of the intent to place the student and the name and location of the proposed placement before placing the student into the program by sending a completed mandated 28M3 form titled “Notice of Intent to Seek Approval for Individual Student Program” and all the required supporting documentation (i.e., completed pricing forms, signed written contract will govern such placement, and monitoring plan pursuant to 603 CMR 28.06(3)(b)). The district maintains copies of this documentation, as well as any documentation of the Department’s objections to such placement and the steps the district has taken in regard to such objection. The district maintains documentation of the approved price for publicly-funded students as set by the state agency responsible for setting program prices. The district maintains documentation of actual monitoring of the unapproved placement, including any site visits made and other monitoring activities undertaken by the school district.

f. **Out of state programs**: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 28.09, the administrator of special education ensures such school has received approval from the host state.

### State Requirements

- M.G.L. c. 76, s. 1
- 603 CMR 18.00; 28.02(14);
- 28.06(2)(f) and (3); 28.09
- 808 CMR 1.00

### Federal Requirements

- 34 CFR 300.2(c)
Procedures for Approved and Unapproved Out-of-District Placements
CMR 18.00; 28.02(14); 28.06(2)(f); and 28.09

Diman Regional is a vocational/programmatic school and does not place students in approved or unapproved out-of-district placements. Should such a setting become a consideration, the sending district is notified and the IEP Team immediately reconvenes.
Special Education Procedure:
SE 38 – Special Education in Institutional Settings (SEIS)

Department of Elementary and Secondary Education responsibility: In cases where the Department provides certain special education services to eligible students in certain facilities operated by or under contract with the Department of Mental Health, the Department of Youth Services, County Houses of Corrections, or the Department of Public Health, the Department retains the discretion to determine, based upon resources, the type and amount of special education and related services it provides in such facilities.

School district responsibility:
- The district implements its responsibilities to students in institutional settings by acting on requests for evaluation, issuing proposed IEPs in a timely manner, and providing special education and/or related services in accordance with state and federal law.
- Where a student’s IEP requires a type or amount of service the facility does not provide, it remains the responsibility of the parent’s school district to implement the student’s IEP by arranging and paying for the provision of such service(s).
- The parent’s school district coordinates with the state agency to ensure the student receives an evaluation, an annual review, and special education services as identified at a Team meeting convened by the parent’s school district.

State Requirements
603 CMR 28.06(9)

Federal Requirements
Diman Regional is a vocational/programmatic school and does not have any students in special education institutional settings. Should a student be placed in custody of DYS, the IEP Team reconvenes, with the participation of the sending district as necessary, and the contract site staff are notified to enable participation at the Team.
Special Education Procedure:
SE 39A - Procedures Used to Provide Services to Eligible Students Enrolled in Private Schools at Private Expense Whose Parents Reside in the District

- The district conducts student fund activities—comparable to those for public school students—for all students enrolled at private expense in private schools in the district.
- The district consults with private schools in accordance with federal requirements.
- The district provides or arranges for the provision of an evaluation for any private school student whose parent resides in the district who is referred for evaluation. The evaluation may take place in the public school, the private school, or an appropriate contracted facility; as part of its consultation with the private school, the district ensures a representative of the student’s private school is invited to participate as a member of the Team pursuant to §28.05. The district provides an IEP for any such private school student who is found eligible for special education and/or related services.
- The district provides special education and/or related services designed to meet the needs of eligible students, who are attending private schools at private expense and whose parents reside in the district and does so according to a properly developed IEP. The district provides to such students genuine opportunities to participate in a public school special education program consistent with state constitutional limitations.
- In providing or arranging for the provision of the special education and/or related services described by the student’s IEP, the district ensures special education services funded with state or local funds are provided in a public-school facility or other public or neutral site. When services are provided using only federal funds, services are provided on public or private school grounds. When the student attends a private school located outside of the district, the district makes reasonable efforts to provide or arrange for the provision of services for the student in the community where the school is located.
- The district does not withdraw or withhold services from a student whose parents reside in the district solely because the district has met the spending requirements of federal law.
- Special education services and/or related services for a private school student whose parents reside in the district are comparable in quality, scope, and opportunity for participation to those provided to public school students with needs of equal importance.
- An expedited special education evaluation, which is limited to a student’s physician statement unless there is a clear indication of the need or unless the parents request additional evaluation, is conducted and services provided to eligible students whose parents reside in the district within 15 calendar days of the district’s receipt of the student’s physician statement.
- The district calculates the proportionate share of Federal Special Education Entitlement funds (Fund Code 240) required to be spent on eligible private school students (including all eligible students attending private school in the district whether their parents reside in the district, in another Massachusetts district, or out of state) and documents the spending of at least this amount of federal entitlement funds (Fund Code 240) on one or more of the eligible private school students attending private school in the district whose parents reside in the district or out of state.

State Requirements
M.G.L. c. 71B, section 2
603 CMR 28.03(1)(e)

Federal Requirements
34 CFR 300.130-144; 300.300(d)(4)
Procedures Used to Provide Services to Eligible Students Enrolled in Private Schools at Private Expense Whose Parents Reside in the District

CMR 28.03(1)(e)

Diman Regional is a vocational/programmatic school and does not have any students enrolled in private schools at private expense whose parents reside in the district. Diman does considerable outreach in the media, through member districts and through cable broadcasting to encourage students who may be attending private schools at private expense to consider applying to Diman. Their application is considered part of the overall district pool of applicants.
Special Education Procedure:
SE 39B - Procedures Used to Provide Services to Eligible Students who are Enrolled at Private Expense in Private Schools in the District and Whose Parents Reside Out of State

- The district conducts student fund activities--comparable to those for public school students--for all students enrolled at private expense in private schools in the district.
- For students enrolled at private expense in private schools in the district and whose parents reside out of state, the district consults with the private schools in accordance with federal requirements. It conducts evaluations and determines eligibility in accordance with state and federal requirements.
- The district calculates the proportionate share of federal special education entitlement funds (Fund Code 240) required to be spent on eligible private school students (including all eligible students attending private school in the district whether their parents reside in the district, in another Massachusetts district, or out of state) and documents the spending of at least this amount of federal entitlement funds (Fund Code 240) on one or more of the eligible private school students attending private school in the district whose parents reside in the district or out of state.
- If the district provides services to any eligible private school student from out of state, it does so using an individual services plan.

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<th>State Requirements</th>
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<tr>
<td>603 CMR 28.02(7); 28.04; 28.05(2)</td>
<td>34 CFR 300.130-144; 300.301-311</td>
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Procedures Used to Provide Services to Eligible Students Who are Enrolled at Private Expense in Private Schools in the District and Whose Parents Reside Out of State
CMR 28.02(7); 28.04; 28.05(2)

Diman Regional is a vocational/programmatic school and does not provide services to non-district students enrolled at private expense in private schools in the district and whose parents reside out of state. These services are the responsibility of Diman's member communities.
Special Education Procedure:
SE 40 – Instructional Grouping Requirements for Students Aged Five and Older

- The size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP.
- Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports smaller instructional groups serving students with complex special needs.
- When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students’ school schedule, group size does not exceed
  - 8 students with a certified special educator,
  - 12 students if the certified special educator is assisted by 1 aide, and
  - 16 students if the certified special educator is assisted by 2 aides.
- For eligible students served in settings are substantially separate, serving solely students with disabilities for more than 60% of the students’ school schedule, the district provides instructional groupings do not exceed
  - 8 students to 1 certified special educator, or
  - 12 students to 1 certified special educator and 1 aide.
- After the school year has begun, if instructional groups have reached maximum size as delineated in parts 3 and 4 of this criterion, the administrator of special education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school.
- In such cases, the administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.
- The district takes all steps necessary to reduce the instructional groups to the sizes outlined in parts 3 or 4 of this criterion for subsequent years. Such steps are documented by the district.

State Requirements
603 CMR 28.06(6)

Federal Requirements
**Procedure for Instructional Grouping Requirements for Students Aged Five and Older**

**603 CMR 28.06(6)**

Within Diman Regional the size and composition of instructional groupings for eligible students receiving services outside the general education classroom are compatible with the methods and goals stated in each student's IEP. Instructional grouping size requirements are maximum sizes and the school district exercises judgment in determining appropriate group size and supports smaller instructional groups serving students with complex special needs. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students’ school schedule, group size does not exceed:

- 8 students with a certified special educator,
- 12 students if the certified special educator is assisted by 1 aide, and
- 16 students if the certified special educator is assisted by 2 aides

For eligible students served in settings are substantially separate, serving solely students with disabilities for more than 60% of the students’ school schedule, the district provides instructional groupings not exceeding:

- 8 students to 1 certified special educator, or
- 12 students to 1 certified special educator and 1 aide

After the school year has begun, if instructional groups have reached maximum size as delineated in parts 3 and 4 of this criterion, the Director of Special Education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than 2 additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school. In such cases, the administrator provides written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the reasons for such decision. Such increased instructional group sizes are in effect only for the year in which they are initiated.

Diman Regional takes all steps necessary to reduce the instructional groups to the sizes outlined in parts 3 or 4 of this criterion for subsequent years. Such steps are documented by the district and through the DESE Waiver process.
Special Education Procedure:
SE 41 – Age Span Requirements

The ages of the youngest and oldest student in any instructional grouping do not differ by more than 48 months. A written request for approval of a wider age range is submitted to the commissioner of elementary and secondary education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Elementary and Secondary Education.

State Requirements | Federal Requirements
603 CMR 28.06(6)(f) |
Procedure for Age Span Requirements
603 CMR 28.06(6)(f)

Within Diman Regional the ages of the youngest and oldest student in any instructional grouping do not differ by more than 48 months. A written request for approval of a wider age range is submitted to the commissioner of elementary and secondary education in cases where the district believes it is justified. Such requests are implemented only after approval of the Department of Elementary and Secondary Education.
Special Education Procedure:
SE 42 – Programs for Young Children Three and Four Years of Age

General requirements:
● The school district ensures programs are available for eligible students three and four years of age. Such programs shall be developmentally appropriate and specially designed for students’ ages three and four years.
● Reserved
● Where appropriate, the school district elects, consistent with federal requirements, to use the format and services of the Individualized Family Service Plan (IFSP), if appropriate, for an additional year as a means of transitioning eligible students to public school services.
● Where appropriate the Team allows a student to remain in a program designed for three and four year old students for the duration of the school year in which the student turns five years old (including the summer following the date of the student’s fifth birthday).

Types of Settings:
● Inclusionary programs for students located in a setting including students with and without disabilities and meet the following standards:
  a. Services in such programs are provided in the home, the public school, Head Start, or a licensed childcare setting.
  b. For public school programs to integrate students with and without disabilities, the class size does not exceed 20 with 1 teacher and 1 aide and no more than 5 students with disabilities. If the number of students with disabilities is 6 or 7 then the class size does not exceed 15 students with 1 teacher and 1 aide.
● Substantially separate programs for young students are located in a public school classroom or facility serving primarily or solely students with disabilities. Substantially separate programs adhere to the following standards:
  a. Substantially separate programs are programs in which more than 50% of the students have disabilities.
  b. Substantially separate programs operated by the district limit class sizes to 9 students with 1 teacher and 1 aide.

State Requirements
Federal Requirements
603 CMR 28.06(7) 34 CFR 300.101(b); 300.124(b); 300.323(b)
Diman Regional is a vocational/programmatic high school and does not have any programs for young children three and four years of age.
Component #5 – Student Support Services SE 43 – SE 49

- **SE 43**  Behavioral interventions
- **SE 44**  Procedure for recording suspensions
- **SE 45**  Procedures for suspension up to 10 days and after 10 days; General requirements
- **SE 46**  Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district
- **SE 47**  Procedural requirements applied to students not yet determined to be eligible for special education
- **SE 48**  Equal opportunity to participate in educational, non-academic, extracurricular, and ancillary programs, as well as participation in general education
- **SE 49**  Related services
Special Education Procedure:
SE 43 – Behavioral Interventions

For a student whose behavior impedes their learning or the learning of others, the Team considers the student’s behavior including positive behavioral interventions and the possible need for a functional behavioral assessment.

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<td>34 CFR 300.324(a)(2)(i)</td>
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**Procedure for Behavioral Interventions**  
*34 CFR 300.324(a)(2)(i)*

When behavior interferes with a student's learning or with the learning of others, the IEP team will sometimes conduct a functional behavior assessment (FBA) as a first step to identify when and why the behavior occurs. The IEP Team will look at the cause of the behavior and develop positive strategies for change. While this is often part of the IEP, it is not required for the development of a 504 Plan. The FBA includes:

- Documenting the behavior
- Identifying where and why the behavior occurs
- Evaluating strategies successful in addressing the behavior

This information is usually gathered by the school psychologist and teachers. If results from psychological or psychiatric evaluations, information about medications or input from the student's pediatrician or primary care physician, the Team will request access to information relevant to the issues at hand. The results of the FBA process will be more accurate if the assessment information is as complete as possible. The FBA will be used to write a positive behavior intervention plan becoming part of the IEP.

If a student has an IEP or a 504 Plan, a Behavior Intervention Plan (BIP) must be developed if the behavior is related to the disability and substantially interferes with the student's educational program. This plan can be incorporated as goals on the IEP or it can be a separate plan attached to either the IEP or the 504 Plan. The BIP should include positive ways to address the student's behaviors. This can include goals teaching the student coping or self-regulation strategies or detailed modifications to the classroom environment will decrease the chance of the behaviors occurring in the first place. If at any point, the behavior plan is not working, the IEP Team will reconvene to modify it. Diman may bring in an outside health care provider or agency to consult on the development of a plan.

Even with a behavior plan in place, there may be times when the student violates the student code of conduct and faces disciplinary actions such as suspension or expulsion. A student with a disability may be suspended for up to 10 consecutive school days or for shorter periods adding up to 10 school days over the course of a school year. The school is not required to provide any educational services during this period.

A change of placement is considered to occur when the student is:

- suspended for more than 10 consecutive school days
- suspended for shorter removals adding up to more than 10 school days and turn into a pattern for responding to the behavior
- expelled
- placed in an alternative educational setting (such as a separate class)

The school must conduct a review, called a manifestation determination meeting, to determine if the behavior is a result of the student's disability or the school's failure to implement the existing IEP or 504 Plan.

If the Manifestation Determination Meeting members find the behavior *is significantly* related to the disability, the Team must either develop a behavior intervention plan if one does not exist, or review and make necessary changes to the existing IEP or BIP. The student will then return to the classroom he was in before the suspension or expulsion.

If it is determined the behavior *is not a* result of the child's disability, protections for students on an IEP differ significantly from those on a 504 Plan. If a student is on an IEP, educational services must be provided to enable the child to continue to participate in the general education curriculum and to progress toward meeting the IEP goals, even though they may be offered in another setting. A student on a 504 Plan can be suspended or expelled without any additional educational services.
Special Education Procedure:
SE 44 – Procedure for Recording Suspensions

The district has a procedure to record the number and duration of suspensions from any part of the student’s program, including suspensions from special transportation prescribed by the IEP. Please see Appendix.

State Requirements

Federal Requirements
34 CFR 300.530
IDEA 2004 Final Regulations,
Analysis of Comments and Changes, Federal Register 71 (14 August 2006): 46715
Diman Regional has a procedure to record the number and duration of suspensions from any part of the student’s program, including suspensions from special transportation prescribed by the IEP using the computer-based attendance portion of the ASPEN system implemented building wide for tracking of student data, including any and all suspensions. Student attendance is distributed daily to all instructors and administrators.

Diman Regional adheres to the procedural elements detailed in the Advisory on Student Discipline under Chapter 222 of the Acts of 2012, originally released in February 2015 and re-released in December 2016. This Advisory outlines elements of behaviors requiring disciplinary response by the school and details issues relating to suspension and expulsion, as well as the requirement for general and special education administration provision of educational support during a student’s removal for cause from the school setting. Following release of this Advisory, Diman created a discipline process which is included in the Appendix of this manual.
Special Education Procedure:
SE 45 – Procedures for Suspension up to 10 days and after 10 days: General Requirements

- Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below.

- After a student with disabilities has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education.

- The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.

State Requirements
M.G.L. c. 76, sections 16-17

Federal Requirements
34 CFR 300.530-537
Procedure for Suspension up to 10 days and after 10 days - General Requirements  
M.G.L. c. 76, sections 16-17

Within Diman Regional, any eligible student may be suspended up to 10 days in any school year without implementation of procedures described in criterion SE 46 below:

After a student with disabilities has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education.

The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.
Special Education Procedure:
SE 46 - Procedures for Suspension of Students with Disabilities When Suspensions Exceed 10 Consecutive School Days or a Pattern has Developed for Suspensions Exceeding 10 Cumulative Days; Responsibilities of the Team; Responsibilities of the District

- A suspension of longer than 10 consecutive days or a series of suspensions shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.

- 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.”

- If district personnel, the parent, and other relevant members of the Team determine the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except the district must still offer:
  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 it does not recur.

- **Interim alternative educational setting.** Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days
  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 the student is “substantially likely” to injure him/herself or others.

Characteristics In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.

- If district personnel, the parent, and other relevant members of the Team determine the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.

- Not later than the date of the decision to take disciplinary action, the school district notifies the parents of the 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 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.

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<td>34 CFR 300.530-537</td>
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Procedure for a Suspension of More Than 10 Consecutive School Days – Special Education Student
34 CFR 300.530-537

- When the school district seeks to suspend a special education student for more than 10 days. The IEP team must meet within 10 days of the student's removal from school. This is called the manifestation/casual meeting. At this meeting, the IEP team determines if the alleged behavior is related to the child's disability or not.

- Disability Related Behavior - If the IEP team determines the behavior is related to the student’s disability, the student should return to school immediately.

- Behavior NOT Related to the Disability - If the IEP team determines the behavior is NOT related to the disability, the student is subject to the regular discipline procedures. A person chosen by the Superintendent will decide whether the student will be suspended long term or expelled.

- Within the first 10 days of the suspension, the IEP team is also required to do a "functional behavior" assessment of the student and develop a behavior plan for the student.

- If Drugs or Weapons are involved - Regardless of whether the conduct is related to the disability, if the incident for which the student is being disciplined involves a dangerous weapon or a controlled substance, the school system can unilaterally place a special education student in an alternative education setting for up to 45 days.

- Special Consideration for Special Education Students - During any term of exclusion exceeding 10 days, a special education student must be provided educational and related services set for in the student's Individual Education Plan.

- Parents have the right to request mediation or due process hearing if they disagree with any decision by the IEP Team, including the "manifestation or casual" decision.

- If the student has not been previously identified as eligible for special education, the parents may request an evaluation and the evaluation must be expedited during the suspension or expulsion period.
Special Education Procedure:
SE 47 – Procedural Requirements Applied to Students not yet Determined to be Eligible for Special Education

- If, prior to the disciplinary action, a district had knowledge the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
  a. The parent had expressed concern in writing; or
  b. The parent had requested an evaluation; or
  c. District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

- If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.

- If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

State Requirements

Federal Requirements
34 CFR 300.534
Procedure for Procedural Requirements Applied to Students Not Yet Determined to be Eligible for Special Education

34 CFR 300.534

If, prior to the disciplinary action, Diman Regional had knowledge the student may be a student with a disability, then the district makes all protections available to the student until, and unless, the student is subsequently determined not to be eligible.

The school district may be considered to have prior knowledge if:

- The parent had expressed concern in writing; or
- The parent had requested an evaluation; or
- District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student

The district may not be considered to have had prior knowledge if:

- The parent has not consented to evaluation of the student, or
- Has refused special education services, or
- If an evaluation of the student has resulted in a determination of ineligibility

If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.

If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.
Special Education Procedure:
SE 48 – Equal Opportunity to Participate in Educational, Nonacademic, Extracurricular, and Ancillary Programs, as Well as Participation in Regular Education

All students receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services that may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.

Programs, services, and activities include, but are not limited to:

- art and music
- vocational education, industrial arts, and consumer and homemaking education
- work study and employment opportunities
- counseling services available at all levels in the district
- health services
- transportation
- recess and physical education, including adapted physical education
- athletics and recreational activities
- school sponsored groups or clubs
- meals

State Requirements
603 CMR 28.06(5)

Federal Requirements
34 CFR 300.101 – 113
Procedure for Equal Opportunity to Participate in Educational, Nonacademic, Extracurricular, and Ancillary Programs, as well as Participation in Regular Education
603 CMR 28.06(5)

All students within Diman Regional receiving special education, regardless of placement, shall have an equal opportunity to participate in and, if appropriate, receive credit for the vocational, supportive, or remedial services may be available as part of the general education program as well as the non-academic and extracurricular programs of the school.

Programs, services, and activities include, but are not limited to:

- vocational education
- work study and employment opportunities
- counseling services available at all levels in the district
- health services
- transportation
- physical education, including adapted physical education
- athletics and recreational activities
- school sponsored groups or clubs
- meals
Special Education Procedure:  
SE 49 – Related Services

For each student with special education needs found to require related services, the school district provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:

- speech-language pathology and audiology services
- psychological services
- physical therapy
- occupational therapy
- recreation, including therapeutic recreation
- early identification and assessment of disabilities in children
- counseling services, including rehabilitation counseling
- orientation and mobility services (peripatology)
- medical services for diagnostic or evaluation purposes
- school health services, including school nurse services
- social work services in schools
- parent counseling and training, and
- Interpreting services.

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<td>603 CMR 28.02(18)</td>
<td>34 CFR 300.34; 300.323(c)</td>
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**NOTE:** Although provision of Home-Hospital Services is overseen by the building principal, the Diman Special Education Department has created a Student Support Manual including information regarding the Home-Hospital process as well as Student Re-entry and Emergency Evacuation supports. This separate document contains forms, lockdown/evacuation supports for students with specific reactions to emergencies and should be reviewed as a component of this Diman Procedural Manual. It is added to the Appendix in this manual.
Procedure for Provision of Related Services
603 CMR 28.02(18)

For each student with special education needs found to require related services, Diman Regional provides or arranges for the provision of transportation and such developmental, corrective, and other supportive services as are required to assist a student to benefit from special education or to access the general curriculum, and includes:

- Speech-language Pathology and Audiology services
- Psychological services
- Physical Therapy
- Occupational Therapy
- Recreation, including therapeutic recreation
- Counseling services, including Rehabilitation Counseling
- Orientation and Mobility services (perinatology)
- Medical services for diagnostic or evaluation purposes
- School health services, including School Nurse services
- Social Worker services
- Parent counseling and training, and
- Interpreting services
Component #6 - Faculty, Staff, and Administration SE 50 – SE 54

- SE 50  Administrator of special education
- SE 51  Appropriate special education teacher licensure
- SE 52  Appropriate certifications/licenses or other credentials – related services providers
- SE 52A Registration of educational interpreters
- SE 53  Use of paraprofessionals
- SE 54  Professional development
Special Education Procedure:
SE 50 – Administrator of Special Education

The school district has an appointed person to be its administrator of special education. The administrator supervises all special education for the school district and ensures compliance with all federal and state special education laws. The administrator of special education is appropriately licensed or holds a current waiver for an appropriate license or otherwise demonstrates he or she has the qualifications to perform all of the duties of the administrator. As appropriate, and in accordance with the requirements of M.G.L. c.71B, §3A, the administrator may designate other school district personnel to carry out some of the duties of the administrator.

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<td>M.G.L. c. 71B, section 3A;</td>
<td>603 CMR 28.03(2)</td>
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Diman Regional has an appointed person to be its administrator of special education called The Director of Special Education. The Director of Special Education supervises all special education for the school district and ensures compliance with all federal and state special education laws. The Director of Special Education at Diman is appropriately licensed or holds a current waiver for an appropriate license or otherwise demonstrates he or she has the qualifications to perform all of the duties of the administrator. As appropriate, and in accordance with the requirements of M.G.L. c.71B, §3A, the Director of Special Education may designate other school district personnel to carry out some of her district duties.
Special Education Procedure:
SE 51 – Appropriate Special Education Teacher Licensure

Except at Commonwealth charter schools, individuals who design and/or provide direct special education services described in IEPs are appropriately licensed.

Commonwealth Charter Schools – Special Education Teacher Qualifications
To come into compliance with IDEA, Commonwealth charter schools must use “qualified” teachers to provide specialized instruction or have a “qualified” teacher consult with or provide direct supervision for someone who is not qualified but is delivering specialized instruction. This is an IDEA requirement.

“Qualified” teachers must hold a valid license in special education or have successfully completed an undergraduate or graduate degree in an approved special education program.

Please seek additional guidance at the following links:

http://www.doe.mass.edu/charter/tech_advisory/07_1.html# (update 2/2011)
http://www.doe.mass.edu/charter/sped/staffqualifications.html (update 3/23/2012)

State Requirements
M.G.L. c. 71, s. 38G; s. 89(qq)
603 CMR 1.07; 7.00; 28.02(3)

Federal Requirements
34 CFR 300.18; 300.156
IDEA § 34 CFR 300.156(a)
Within Diman Regional, individuals who design and/or provide direct special education services described in IEPs are appropriately licensed. Licensure renewal and compliance is the responsibility of the individual educator and not the school district. It is the responsibility of the educator to provide the district with a current teaching license to be kept on file in Diman’s Human Resources Department. The files are reviewed annually to ensure DESE licensure is current and SLP/PT/OT educational and specialty clinical licenses are in force.
Special Education Procedure:
SE 52 – Appropriate Certifications/Licensure or Other Credentials – Related Service Providers

Any person, including non-educational personnel, who provides related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the general or special education classroom teacher is appropriately certified, licensed, board registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession.

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Any person with Diman Regional, including non-educational personnel, who provide related services described under federal special education law, who supervises paraprofessionals in the provision of related services, or who provides support services directly to the general or special education classroom teacher is appropriately certified, licensed, board registered or otherwise approved to provide such services by the relevant professional standards board or agency for the profession. It is the responsibility of the service providers to maintain their own licensure and the requirements for recertification at all times.

**In-service training for hired in contracted transportation providers**

Diman High School contracts with Tremblay Bus Company for transportation and Tremblay provides the necessary training as part of their contract with Diman.
**Special Education Procedure:**
**SE 52A – Registration of Educational Interpreters**

Providers of interpreting services for students who are deaf or hard of hearing must be registered with the Massachusetts Commission for the Deaf and Hard of Hearing.

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Procedure for Registration of Educational Interpreters
603 CMR 28.02(3), (18)

Within Diman Regional, providers of interpreting services for students who are deaf or hard of hearing must be registered with the Massachusetts Commission for the Deaf and Hard of Hearing.

At this time, Diman does not have any students who require an educational interpreter. However, Diman has a professional relationship with several interpreting agencies in the area who can provide interpreters fluent in specific languages should students or parents require translators.
Special Education Procedure:
SE 53 – Use of Paraprofessionals

1. Reserved.
2. Persons employed as paraprofessionals and assistants do not design instruction for students with disabilities but are expected to implement instruction under the supervision of an appropriately certified or licensed professional who is proximate and readily available to provide such supervision.

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<th>State Requirements</th>
<th>Federal Requirements</th>
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<td>34 CFR 300.156</td>
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Utilizing a Paraprofessional in the Academic Classroom

Definition of a Paraprofessional in the state of Massachusetts: “An instructional paraprofessional is an individual who provides instruction and support for classroom teachers. Aides, assistants, or tutors who engage in instructional support are considered to be instructional paraprofessionals as defined by NCLB.” “Instructional paraprofessionals must possess specific skills and knowledge in reading, writing, mathematics, and instruction to be considered qualified to assist in instruction. NCLB outlines requirements instructional paraprofessionals must meet.” These include:

- Possessing a high school diploma or its equivalent AND
- Earning an Associate’s (or higher) degree; OR one of the following:
  - Completing at least two years, or 48 credit hours of study at an institution of higher education; or
  - Taking and passing a formal assessment measuring one’s knowledge of and ability to assist classroom teachers in reading, writing, and mathematics

“These two requirements apply to all instructional paraprofessionals (including those who work with students with disabilities as tutors or aides) carrying out instruction duties in a school-wide program, without regard to whether the positions are funded with federal, state, or local funds.”

Responsibilities of the School District: According to Massachusetts DESE all instructional paraprofessionals must be supervised directly by teachers; instructional paraprofessionals cannot be supervised by a peer or group of peers.

District Orientation:

- Paraprofessional orientation prior to working with students may include:
  - Paraprofessional roles and responsibilities
  - District overview
  - District policies and procedures
  - District discipline policy
  - Confidentiality issues
  - Safety and emergency procedures
  - Employment or contract information
- Paraprofessional orientation during the first few days at the work site may include:
  - Introduction to building staff
  - Introduction to building site policies
  - Procedures and services
  - Opportunity to learn by observing and working alongside others
  - Introduction to classroom curriculum, classroom rules, and procedures
  - School behavior management plan
  - Specific student information, as appropriate
Competencies/Duties expected of the Paraprofessional in any setting:

1. **Support and Collaboration** - The paraprofessional has an understanding of the respective roles and responsibilities of licensed staff (teachers, administrators, education specialists, etc.) in supporting students and collaborating with each other.
   - Support the integration of students with disabilities into general education programs
   - Provide assistance with individualized instruction through various instructional strategies
   - Assist students according to directions given by the teacher
   - Serve as a proctor during testing, as appropriate
   - Assist the teacher in preparing necessary instructional materials
   - Follow written and oral instructions
   - Organize time, materials, and workspace
   - Practice ethical and professional standards of conduct, including confidentiality
   - Apply work-related legal issues concerning the education of children and youth
   - Follow work-related health, safety, and emergency procedures

2. **Communication** - The paraprofessional has the ability to communicate with colleagues, follow instructions, and use problem-solving and other skills enabling him/her to work as an effective member of the instructional team.
   - Interact effectively in the workplace
   - Recognize, describe, and report student behavior and academic progress to the teacher
   - Impart information at the child's level of comprehension
   - Use a variety of technological tools to communicate

3. **Growth and Development of Children and Youth** - The paraprofessional has an understanding of the various developmental stages of children and youth.
   - Recognize patterns of human development and benchmarks typically achieved at different ages, as related to instruction
   - Recognize risk and environmental factors may prohibit or impede typical development, as related to instruction
   - Recognize the expected behavior of children and youth
   - Use age-appropriate materials for instructional reinforcement

4. **Behavior Management** - The paraprofessional has the ability to assist in supporting and managing positive student behavior.
   - Assist in basic classroom management
   - Establish positive relationships with students
   - Supervise students in the classroom and other locations
   - Promote student self-esteem
   - Model and assist the instruction of citizenship, social skills, and respect for others
   - Assist with mediating minor student conflicts
   - Describe student behavior and report characteristics and changes to the teacher and/or administrator
- Redirect inappropriate behavior through approved methods

5. **Instructional Strategies** - The paraprofessional has knowledge of and can assist the teacher in applying the elements of effective instruction.
   - Use appropriate strategies and techniques to provide instructional support
   - Possess a basic level of competency in core academic subjects at the appropriate levels
   - Use correct English, spelling, grammar, and punctuation
   - Correct and score students’ work
   - Conduct small group instruction as prescribed by the teacher
   - Provide individualized instruction as prescribed by the teacher
   - Demonstrate various instructional activities as prescribed by the teacher
   - Assist the teacher with planning and organizing instructional activities and developing classroom procedures

6. **Diversity** - The paraprofessional has an awareness of and respect for diversity among children, youth, families, and colleagues.
   - Demonstrate an awareness of and respect for how diversity affects student learning.
   - Demonstrate an awareness of student disabilities by category.
   - Recognize how ethnic and cultural differences affect and enrich the school and community.
   - Apply discipline techniques impartially and consistently.
   - Know the school organization and its community.
   - Support high expectations for all students.

7. **Technology** - The paraprofessional has knowledge and skills necessary to support instruction using technology.
   - Use computers, software packages, and related information technology devices.
   - Use assistive technology, when applicable.
   - Operate audiovisual equipment.
   - Assist students in using hardware, software, and other information technology.
   - Use administrative and technical skills necessary to assist the implementation of programs.
   - Vocational/Technical technology utilized within the shop placement is known to the Paraprofessional

**Role of the Special Education Teacher in working with Paraprofessionals:**
- In relationship to paraprofessionals, the Special Education professional must function both in a leadership and supervisory role.
- It is the certified person’s responsibility to assure students are moving toward the achievement of IEP goals and objectives.
- Paraprofessionals serve under the direction and supervision of a certified person.
- Special Education teachers should prepare and collaborate with the paraprofessional as to the specifics of the instruction being utilized in the classroom.
- Special Education teachers are responsible for monitoring the paraprofessionals assigned to students.
Role of Paraprofessionals in a General Education Classroom:
- The paraprofessional’s role is to support the special education students in the general education classroom.
- The paraprofessional is responsible for following the rules, guidelines, and expectations in the general education classroom.
- The classroom teacher provides instruction of the curriculum; the paraprofessional collaborates on modifying the curriculum with the general education and the special education teachers.
- The paraprofessional’s role will vary depending on the unique needs of the students in the classroom and what is on their IEPs.
- The paraprofessional may be responsible for behavior management, re-teaching or reinforcing skills, working with students in small groups, and reinforcing self-help skills.

Role of the Paraprofessional in a Vocational Setting:

Education and/or Experience:
- Paraprofessionals in a vocational setting must have experience with the equipment and tools of the specific program assigned.

Duties and Responsibilities:
- Assist the primary vocational instructor with teaching activities and production activities
- Demonstrate proper operation of shop tools and equipment in accordance with the shop program
- Demonstrate safety practices and procedures in accordance with the shop program
- Monitor students when operating tools and equipment
- Monitor safety practices and procedures
- Support and assist in the enforcement of school and district rules
- Conduct individual and/or small group instructional activities when directed to do so by the instructor
- Be familiar with appropriate instructional materials as they pertain to shop placement

What the Paraprofessional is NOT responsible for in any setting – academic or vocational:
- The paraprofessional cannot represent himself or herself as a qualified teacher/service provider or be used as a substitute for a qualified teacher/service provider unless he/she possesses the appropriate certification/licensure to function as a substitute and is hired as a substitute
- The paraprofessional cannot rewrite curriculums
- The paraprofessional cannot create new, alternative instruction without the direction of a teacher or other certified personnel
- The paraprofessional cannot implement behavior ideas without the direction of the teacher or other certified personnel
- The paraprofessional cannot take complete responsibility for any students
- The paraprofessional does not provide direct instruction, does not introduce a student to new skills, concepts or academic content.
- The paraprofessional cannot perform or interpret standardized or non-standardized assessments, formal or informal, unless specifically trained to provide such tests and evaluations and supervised by the qualified teacher/service provider.
- The paraprofessional cannot participate in parent conferences, student conferences, or any interdisciplinary teams in place of the supervising teacher/service provider.
- The paraprofessional cannot communicate with the individual with learning disabilities, family, or others regarding any aspect of the student's status or service without the specific consent of the supervising teacher/service provider or provide student or family counseling.
- The paraprofessional cannot write, develop, or modify an individualized plan in any way or assist with instruction/intervention without following the individual plan prepared under the direction of the teacher/service provider or without access to supervision.
- The paraprofessional cannot sign any formal documents (e.g., individual plans, service reimbursement forms, or reports) as a substitute for the qualified professional. Paraprofessionals should sign or initial informal progress notes for review and co-signature by the supervising teacher/service provider.
- The paraprofessional cannot select individuals for services, make referrals for additional services, assign grades, or discharge an individual from service.
- The paraprofessional cannot disclose educational, clinical, or confidential information either orally or in writing to anyone not designated by the supervising teacher/service provider.
Special Education Procedure:
SE 54 – Professional Development

- The district considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings.
- The Assistant Superintendent/Principal works with department heads and the Special Education Administrator within Diman to provide mandated as well as technical training to staff members. Surveys are provided to staff to obtain information regarding individual and group training needs. The Professional Development Committee provides the Assistant Superintendent/Principal feedback on the efficacy of training provided as well as input into training and workshops scheduled.
- The district ensures all staff, including both special education and general education staff, are trained on:
  a. state and federal special education requirements and related local special education policies and procedures;
  b. analyzing and accommodating diverse learning styles of all students in order to achieve an objective of inclusion in the general education classroom of students with diverse learning styles;
  c. methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles of all students in the general education classroom;
- The district provides in-service training for all locally hired and contracted transportation providers, before they begin transporting any special education student receiving special transportation, on his or her needs and appropriate methods of meeting those needs; for any such student it also provides written information on the nature of any needs or problems may cause difficulties, along with information on appropriate emergency measures. Transportation providers include drivers of general and special education vehicles and any attendants or aides identified by a Team for either type of vehicle.

State Requirements
M.G.L. c. 71, section 38G, 38Q and 38Q ½;
603 CMR 28.03(1)(a); 28.06(8)(b) and (c)

Federal Requirements
Diman Regional considers the needs of all staff in developing training opportunities for professional and paraprofessional staff and provides a variety of offerings. The district ensures all staff, including both special education and general education staff, are trained on:

- State and federal special education requirements and related local special education policies and procedures
- Analyzing and accommodating diverse learning styles of all students in order to achieve the objective of inclusion in the general education classroom for students with diverse learning styles
- Methods of collaboration among teachers, paraprofessionals and teacher assistants to accommodate diverse learning styles of all students in the general education classroom
- Emerging issues or relevant topics are identified through review of staff Professional Development Plans or through staff surveys/staff feedback.
Component #7 - School Facilities SE 55

- SE 55 Special education facilities and classrooms
Special Education Procedure:
SE 55 – Special Education Facilities and Classrooms

The school district provides facilities and classrooms for eligible students:

- maximize the inclusion of such students into the life of the school
- provide accessibility in order to implement fully each student’s IEP
- are at least equal in all physical respects to the average standards of general education facilities and classrooms
- are given the same priority as general education programs in the allocation of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students
- are not identified by signs or other means stigmatized such students

State Requirements
603 CMR 28.03(1)(b)

Federal Requirements
Section 504 of the Rehabilitation Act of 1973
Procedure for Provision of Special Education Facilities and Classrooms
603 CMR 28.03(1)(b)

Diman Regional provides facilities and classrooms for eligible students:

- Maximize the inclusion of such students into the life of the school
- Provide accessibility in order to implement fully each student’s IEP
- Are at least equal in all physical respects to the average standards of general education facilities and classrooms
- Are given the same priority as general education programs in the allocation of instructional and other space in public schools in order to minimize the separation or stigmatization of eligible students
- Are not identified by signs or other means that stigmatize such students.
Component #8 - Program Plan and Evaluation SE 56

- SE 56  Special education programs and services are evaluated
Special Education Procedure:
SE 56 – Special Education Programs and Services Are Evaluated

Special education programs and services are regularly evaluated.

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Diman Regional evaluates the special education programs, services and administrative areas every year, in a 3-year cycle. The use of the 3-year cycle allows identification of specific issues or emerging problems to be resolved or addressed. In the 3rd year of the cycle a re-examination of the areas or issues is done to ensure resolution. Diman hires outside consultant evaluators in an effort to avoid bias, encourage open discussion and independent examination of issues.
Component #9 - Record Keeping SE 57 – SE 59

- Transfer of student records
Special Education Procedure:
SE 59 – Transfer of Student Records

When a student with an IEP transfers from school district to school district, whether both of those districts are within the Commonwealth of Massachusetts or not

- Any Massachusetts school to which the student is transferring takes reasonable steps to promptly obtain the student’s records, including the IEP, from the former school, and
- Any Massachusetts school from which the student is transferring takes reasonable steps to promptly respond to the new school’s request for records.

State Requirements

Federal Requirements
34 CFR 300.323(g)
Procedure for Transfer of Student Records
34 CFR 300.323(g)

Transfer of Student Records

When a student with an IEP transfers from another school district, both within Massachusetts and from other states, Diman Regional Vocational Technical High School:

1. Standard admissions procedures are followed.

2. If accepted, steps are taken to promptly obtain the student’s records, including the IEP, from the former school district,

And

3. When a student transfers from Diman Regional Vocational Technical High School, then the school takes reasonable steps to promptly respond to any other district’s request for records.

Responsibility for such requests and follow through, remains with the Director of Special Education and/or her Designee

NOTE: Diman Regional adheres to all aspects of the February 2018 DESE Advisory regarding the transfer of records for students with disabilities moving to Massachusetts from Puerto Rico as well as the transitional movement of students from shelters and temporary housing situations.

IDEA provides guidelines for a child with a disability transferring to another school in or out of district within the same state or out of state. The guidelines are specific as to the child’s right to have a free appropriate public education with services comparable to those in the previous IEP. When it is necessary for a child with a disability to transfer to a different school in the same district or a school in a different district in the same state, the IDEA 2004 requires the following:

“In the case of a child with a disability who transfers school districts within the same academic year, who enrolls in a new school, and who had an IEP in effect in the same state, the LEA (school district) shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district adopts the previous IEP or develops, adopts, and implements a new IEP consistent with Federal and State law.”
Appendix

● Student Support Procedures
  ➢ Home and Hospital Procedures
  ➢ Student Re-entry Process
  ➢ Home/Hospital Tutoring Flow Chart
  ➢ Student Lockdown and Evacuation Support

● Educational Opportunities Process
  ➢ Homeless Flow Chart

● MCAS Performance Appeal Application
  ➢ Procedures for Students Requesting College Board Accommodations

● Transporting Students with Disabilities
  ➢ Evacuation Guidelines for People with Mobility Impairment

● Disciplining Students with Disabilities

● Student Restraint Procedures

● Paraprofessional Procedures

Updated January 2022
Diman Regional Vocational Technical High School

2022 – 2023
(Updated February 2023)

Student Support Procedures

* Home and Hospital Tutoring
* Student Re-entry Process
* Student Evacuation Support
* Student Lock-down Support
Section 1: Home-Hospital Tutoring

- Process description
- Q & A Guide DESE – updated August 2022
- Diman Home-Hospital Tutoring Process
- BSEA Decision re: Form content requirements
- Form: Form: Physician’s Affirmation of Need for Home-Hospital Educational Services
- Form: Physician’s Affirmation of Need (60 + days)
- Home-Hospital Tutoring Flow Chart
- Home-Hospital Educational Services Implementation

Section 2: Student Re-entry Process

- Re-entry after disciplinary removal
- Re-entry after hospitalization (surgery/injury)
- Re-entry after hospitalization (behavior/psychological)

Section 3: Student Lock-down & Evacuation Support

- Shelter in-place support
- Fire drill support
- Removal from building support
Section 1: Home-Hospital Tutoring Process

The home-hospital educational services process initially was designed to provide support to students recovering from medical emergencies. Increasingly the home-hospital educational services process has been accessed for students challenged by school attendance, by reluctance to participate in classes or coursework and to encourage students who are encountering challenges in their personal or school life and may be hesitant to actively participate as members of the Diman school community. In June, 2021 the Department of Elementary and Secondary Education revised elements of this process to clarify requirements stemming from Covid 19 as well as compensatory services.

Historically, the home-hospital educational services process is a general education process, overseen by the building principal. Implementation of the process requires on-going collaboration between general and special education departments. The regulatory requirement for both groups differs but centers on the legal mandate to provide students with disabilities a free and appropriate public education. The June 2021 updated Q and A form from DESE clarifies both the procedures for determining the need for referrals for special education evaluation of students whose current medical situation may require assessment of services through IDEA. If hospitalization and/or home recovery absences are extended, the student is entitled to receive tutoring services. Eventually the student receiving tutoring services returns to the school setting and transitions successfully back into the life of the Diman student community. Some students are hospitalized for more serious, on-going chronic medical or psychological issues and these students require careful planning to ensure their re-entry to the school does not add additional stress to the trauma or anxiety with which they are already dealing. The third group of home-hospital educational services requests can involve students whose parents have obtained a form from a physician with less than complete information or who obtain a series of forms, similar in their requirement for home tutoring but non-compliant in the information provided by the physician or physician’s assistant. Diman’s Special Education Department’s mandate related to “Child Find” (identifying students with disabilities who require specially designed instruction) can include students manifesting for the first-time signs of a disability. In these situations, the sharing of information between general and special education departments is a necessity to protect students and to support general education staff.

Forms provided in this section are available electronically for parents or physicians. The Bureau of Special Education Appeals has dealt with the required physician information. A sample case and the BSEA decision is included in this packet.

What follows are copies of the Home-Hospital Educational Services Q and A form from DESE as well as samples of mandated forms to access those services and Diman’s internal procedures.
1. What is the Intent of the Massachusetts Regulations on Educational Services in the Home or Hospital?

The Massachusetts regulation requiring educational services in the home or hospital is 603 CMR 28.03(3)(c). It reads as follows:

Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Administrator for Special Education for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.

The intent of this regulation on home or hospital instruction is to provide a student receiving a publicly funded education with the opportunity to make educational progress even when a physician determines that the student is physically unable to attend school. While it is impossible to replicate the total school experience through the provision of home/hospital instruction, a school district must provide, at a minimum, the instruction necessary to enable the student to keep up in his/her courses of study and minimize the educational loss that might occur during the period the student is confined at home or in a hospital.

Although the regulation on home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. In other words, home/hospital instruction typically is considered a regular education service since it is in the interest of both the individual student and the school to make it
possible for the student to keep up with schoolwork while s/he is unable to attend school for medical reasons.

The Special Education Regulations also include a provision relating specifically to students who are likely to be confined to home or hospital for medical reasons for more than 60 school days in any school year. Please see regulation 603 CMR 28.04(4), discussed in 603 CMR 28.04(4) Question #1, below.

Please note that the requirements and guidance discussed in this Question and Answer Guide are separate and distinct from those relating to the approval of parent requests for "home education" or home schooling programs, which are governed by General Laws Chapter 76, § 1. The Department of Elementary and Secondary Education's Home Education Advisory provides guidance on the Massachusetts law governing homeschooling programs.

2. Who is Entitled to Educational Services in the Home or Hospital?

Public school students. A public-school student who, due to documented medical reasons, is confined to home or a hospital for not less than fourteen (14) school days during the school year, is entitled to receive home/hospital educational services as described under 603 CMR 28.03(3)(c). In this context "public school student" means a student who is enrolled in a public school district or a charter school, or a student who is being educated with public funds in an educational collaborative or an approved private day or residential special education school. (Please see Question #7, below, for more detail about students in approved private day and residential special education schools.) The requirement for a school district to provide home/hospital instruction to a public-school student who is being educated at public expense is not dependent upon the student's eligibility for special education.

Private school students. A student who is enrolled in a private school at private expense ("private school student") is entitled to receive publicly funded home/hospital instruction as a special education service if s/he has been found to be a student with a disability who requires special education. Mass. General Laws Chapter 71B, § 1 defines "school age child with a disability" as follows:

A school age child in a public or non-public school setting who, because of a disability consisting of a developmental delay or any intellectual, sensory, neurological, emotional, communication, physical, specific learning or health impairment or combination thereof, is unable to progress effectively in regular education and requires special education services, including a school age child who requires only a related service or related services if said service or services are required to ensure access of the child with a disability to the general education curriculum. G.L. Chapter 71B, § 1 (emphasis added).

A private school student who has been evaluated and has been found eligible for special education is entitled to receive home/hospital educational services as outlined in Question #8, below. For both public school students and private school students, the justification for any needed home or hospital instruction must be documented by a student's personal physician. A school district that receives a request for home instruction from someone other than a physician, or from a physician who is not personally responsible for a student's care, is not obligated to provide instruction under 603 CMR 28.03(3)(c). In this case, the responsible school district should inquire further with the student's parent or guardian to determine the student's status and any
additional information or action that is needed. For example, the school district may need to proceed under the compulsory attendance law if it determines that a student between ages 6 and 16 is not attending school, is not being otherwise educated in a manner approved by the school district and is not medically unable to attend school.

Determining eligibility. As required under M.G.L. c. 71B, § 2, if a parent of a private school student requests an evaluation to determine the student's eligibility for special education and presents the school district with a physician's statement, then the school district must immediately review the physician's statement to determine if there is sufficient information available to consider if the student has a "health impairment" according to the definition provided under 603 CMR 28.02(7)(i). If there is sufficient information in the physician's statement, then the school district should convene the Team within 15 days to make an expedited determination of eligibility and begin provision of services. Please refer to Administrative Advisory SPED 2003-1 for additional information about these requirements.

3. How Can Home or Hospital Education Services Be Accessed?

Once the student's personal physician (for example, a pediatrician, internist, medical specialist, psychiatrist, or nurse practitioner) determines that a student's medical condition will require either hospitalization or home care for not less than 14 school days, the physician must notify the school district responsible for the student in order to begin the home/hospital instruction process. The student's physician must complete a Department of Elementary and Secondary Education form 28R/3 (or equivalent signed statement) and submit it to the student's building principal or other appropriate program administrator. At a minimum the physician's signed notice must include information regarding:

- the date the student was admitted to a hospital or was confined to home;
- the medical reason(s) for the confinement;
- the expected duration of the confinement; and
- what medical needs of the student should be considered in planning the home or hospital education services.

Students with chronic illnesses who have recurring home/hospital stays of less than 14 consecutive school days, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year, are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician.

Home and hospital educational services under 603 CMR 28.03(3)(c) must begin without undue delay after the school district receives written notice from the student's physician that such services are necessary. Please note that there is no required 14-day waiting period before home or hospital instruction can commence if it is likely that the student will be absent from the school-based program for 14 school days or more in the school year.

Whenever a student is likely to miss 14 school days or more for health-related reasons, the Department strongly recommends that the school district expedite the delivery of educational services as well as any evaluation or Team meetings that may be necessary, in order to minimize the negative impact on the student's educational progress. (See also Question #9, below.)
4. **How Should Home or Hospital Services Be Delivered?**

School districts may provide home/hospital services in a number of ways, including:

- providing the services directly to the student using district employees;
- contracting with the hospital to provide the needed services;
- contracting with another school district to provide the services;
- contracting with another agency to provide the services; or
- providing the services via live streaming and/or remote instruction.

Home/hospital instruction is typically one-to-one or small group instruction that is provided on an individualized schedule, for less than a full school day or a full school week. The school district should determine the number of instructional hours per day or per week based on the educational and medical needs of the individual student. School districts may not preset the number of instructional hours per week provided to students who must remain at home or in the hospital; the decision must be individualized. Based on the student's medical status, the student's physician may determine that the number of instructional hours should be reduced. In addition, the amount of instructional time deemed necessary by a district may be guided by the instructional approach used in a one-to-one home or hospital setting as compared to the instructional approach normally implemented in the student's school-based program. However, such a reduction in instructional time must be based on the educational benefit received by the student given the reduced teacher-student ratio. Service delivery, including the time of day the services are to be delivered, should be determined in the best interests of the student and in consideration of the medical circumstances of the student.

When planning and delivering home or hospital educational services, the school district should carefully consider all aspects of a student's educational program while attending school, including any current IEP services, Section 504 plans and instructional accommodations, as well as the student's general education services.

5. **Is the Academic Content of Instruction and the Certification of Staff Any Different for Home or Hospital Instruction Than for School-Based Instruction?**

Instruction that is provided in the home or hospital for public school students under 603 CMR 28.03(3)(c) must include the same academic content as that provided in the student's regular school-based program. While teacher certification requirements apply to the teachers who are providing the instruction, the teachers do not have to be certified in all subject areas. However, in all cases the school district must be able to demonstrate that the assigned staff member effectively provides the necessary instruction to the student. Teachers who provide home/hospital instruction to public school students must coordinate the instructional content, approaches and student progress with the student's teachers at school.

For both public school students and private school students, special education and/or related services that are provided in a home or hospital setting under this provision must be delivered (or closely supervised) by staff certified or appropriately licensed to deliver such services.
6. **May A School District Require That a Parent or Other Responsible Adult be in the Home While the District's Instructor is Working With the Student?**

If a district requires that an adult is present during homebound instruction, the district should take reasonable steps to ensure that this policy does not conflict with its obligation to provide instruction. A district could likely avert a potential conflict by arranging for instruction at a time (such as late afternoon or evening) when an adult would be at home with the student. If a district were unable to send an instructor at a time when an adult was at home, it would be permissible for the district to send a staff member to accompany the instructor. If a district is unable to arrange for instruction during hours when an adult will be at home or to send a staff member to accompany the instructor, the district should propose a reasonable alternative to the student's parent that would ensure that the student receives instruction while satisfying the district's legitimate concerns about safety and liability.

7. **Under what Circumstances are Educational Collaboratives and Public and Private Day and Residential Special Education Schools Approved Under 603 CMR 28.09 Required to Provide Home or Hospital Instruction?**

If the school district continues to pay the costs of the placement in order to hold the enrollment status of the student in a educational collaborative program or a public or private special education school during the student's confinement to home or a hospital, the respective collaborative or public or private school must provide at no additional cost to the school district appropriate educational and special educational services. These services must be provided consistent with requirements of 603 CMR 28.03(3)(c) regarding educational services in a home or hospital, subject only to the limitations outlined in Question #4, above.

If the student is not expected to remain in the placement after the student's confinement to home or hospital, the school district must ensure in another way that the student receives appropriate educational and special educational services or, if appropriate, reconvene the Team consistent with 603 CMR 28.04(4) and consider evaluation needs and/or revisions to the IEP taking into account the services the student needs while s/he is unable to attend school for medical reasons.

8. **How Do These Requirements Apply to a Student Who is Enrolled in Private School at Private Expense and Needs Home/Hospital Instruction for Medical Reasons?**

As is stated above in answer to Question #1, although the regulation requiring home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. State law (G.L. Chapter 71B) requires school districts to provide special education to eligible students who are attending private school at the parent's expense or other private expense ("private school students"). Since home/hospital instruction can be a regular education or special education service, this has led to some confusion about the appropriate provision of home/hospital instruction for private school students.

- **If the private school student already has an IEP under which the school district is providing special education services,** then during the 14+ school days that the physician says the student will be out of
school for medical reasons, the school district must provide the specially designed instruction and/or related services described on the student’s current IEP, modified as necessary to accommodate the student’s medical needs. If the student’s medical condition is likely to affect the ability of the student to maintain effective school progress, the student’s parent may request that the Administrator of Special Education convene a Team meeting to consider further evaluation of the student and, if appropriate, to amend the existing IEP or develop a new IEP. Modifications to the IEP can include home or hospital instruction. The Administrator of Special Education is required to convene a Team meeting without undue delay for any student with an IEP who, in the judgment of the student’s physician, is likely to remain at home or in a hospital for more than 60 school days in any school year. This requirement is found in the Special Education Regulations at 603 CMR 28.04(4) and is discussed in 603 CMR 28.04(4) Question #1.

- **If the private school student does not have an IEP and will be confined to home or a hospital for medical reasons, s/he may be eligible for special education services if the student’s medical condition is determined to be a health impairment that adversely affects the student’s educational performance. Under these circumstances, the parent is entitled, at any time, to request and receive an evaluation of the student by the public school district to determine if the student’s medical condition meets special education eligibility requirements. If a physician indicates to a school district that the student has a medical or health condition that is likely to lead to extended school absence(s) or an inability to maintain effective educational progress, the school district shall treat such information as a referral for an evaluation to determine eligibility for special education. In such a case, the school district shall, within five school days, send written notice to the student’s parent seeking consent for such evaluation to occur (603 CMR 28.04(1)(a)). A Team may find a student eligible for special education based on a chronic or acute health impairment or other disability, as defined in 603 CMR 28.02(7), that adversely affects the student’s educational performance. Please see Question #9, below.**

Under Massachusetts law, a private school student who has been determined to be a "school age child with a disability" as defined in G.L. Chapter 71B, § 1, is entitled to receive publicly-funded special education services in accordance with an IEP developed by the school district of residence. The school district may not refuse to evaluate the student because s/he is enrolled in private school or because s/he is currently out of school for medical reasons. The Department recommends that the Administrator of Special Education make every effort to expedite assessment(s) and the Team meeting so that services may be provided in a timely fashion. If the student is evaluated and determined to be a student who is eligible for special education, the student will be entitled to receive home/hospital instruction according to the IEP.

- **If the private school student does not have an IEP and the parent does not wish to refer the student for a special education evaluation, the parent may contact the school district of residence, providing documentation from the student's physician that the student is confined to home or hospital for medical reasons for not less than 14 school days during the school year. The school district may, at its discretion, provide home/hospital instruction to the student, using the district’s resources to provide the instruction, but it is not required to do so unless the student is evaluated and found to be eligible for special education. Please see Question 2 above for additional information on determining eligibility of private school students based on a physician's statement.**
Please note that the public school district is under no obligation to be familiar with nor to use the private school's curriculum, textbooks, or related education materials, but shall provide home or hospital services designed to maintain the private school student's progress in general curriculum areas when such services have been included on the IEP. Consequently, if a private school student will be absent from school for medical reasons for an extended period of time, the student's parent should always contact the private school to find out what tutoring services or other home/hospital instruction the private school will provide to help the student keep up with his or her schoolwork. The administrators and teachers in the private school are most knowledgeable about the private school's curriculum and the coursework that the student is covering in class, and they are in the best position to design and provide tutoring or other home/hospital instruction that will enable the student to keep up with school assignments. Depending on the circumstances, the private school itself may have an obligation to provide accommodations or services to the student under federal civil rights laws, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, or under the contract of enrollment between the school and the parents.

9. Are Students With Chronic or Acute Health Issues Always Eligible for Special Education?

The answer depends on the facts of the individual case. Any student with a medical or health condition that is likely to lead to extended school absence(s) or inability to maintain effective educational progress is a reasonable candidate to be referred to the public school district for initial evaluation to determine special education eligibility. Such referrals should take place as soon as it is known that a student's health condition is chronic or acute and is likely to have a negative educational impact, rather than delaying referral or action until the student is absent for significant periods of time or has begun to experience educational failure.

If assessment information indicates that the student's educational progress will be adversely affected as a result of a chronic or acute medical condition that is not temporary in nature, then the Team will likely determine that the student is eligible for special education. An eligibility determination is an individualized decision that depends on the facts of each case. In most cases, if the Team determines the student is eligible, the type of disability as recognized by federal, and state special education law will be a "health impairment" (see 603 CMR 28.02(7)(i)). In some cases, the assessments may indicate other types of disability, such as "emotional impairment" or "neurological impairment."

If the student has been evaluated and found eligible for special education, the Team will write an IEP describing the special education and related services that the student needs and the school district will provide. If the student will be out of school for medical reasons for an extended period of time, it is appropriate to include on the IEP educational tutoring as a related service that the student needs in order to access the general curriculum while s/he is in the home or hospital setting. The IEP may be tailored to address expected time periods when the student is unable to attend school, if that is deemed appropriate to meet the unique needs of the individual student.

603 CMR 28.04(4)

1. What Requirements Apply if the Student is Likely to Be Confined to Home or a Hospital for More Than 60 School Days?
If, in the judgment of the student's physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school days in any school year, the Administrator of Special Education is required, without undue delay, to convene a Team meeting to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances. (See 603 CMR 28.04(4).) The Department recommends that the Administrator of Special Education convene the Team meeting within 10 school days after the school district is notified that the student is likely to remain at home or in the hospital for more than sixty days. This provision applies to all eligible students, including private school students who have been determined to need special education.

Additional questions or concerns about the provision of home or hospital educational services for students who are unable to attend school should be directed to the Department of Elementary and Secondary Education, Problem Resolution System Office, at (781) 338-3700.

Last Updated: August 25, 2021
Key Issues:

- Documents submitted and 13 hours of oral testimony and argument to support parents’ contention that Agawam failed to provide home tutoring services required by a physician’s letter. Oliver had not attended school for months and was diagnosed with Tourette’s Syndrome, migraine headaches and ADHD and was receiving services through a 504 Plan. This hearing was a second part of an initial hearing around Agawam’s Eligibility Team’s finding of No Special Needs. While initial hearing moved forward, parent’s removed Oliver from school.

- The day after the parents withdrew Oliver from school, Agawam received a completed Physician’s Statement for Temporary Home or Hospital Education. 14 days later Agawam requested a hearing, challenging the sufficiency of the completed form. The BSEA/Hearing Officer consolidated the two cases.

- The physician who completed the form testified: “… that stress is known to worsen the symptoms of both Tourette’s Syndrome and Migraines.” He completed the form due to the parents’ reports of increased stress and symptoms that they attributed to Oliver’s school program. “Dr. Gilmore admits that he doesn’t know what Oliver’s school program was, that he could not determine whether Oliver needed an IEP, nor what an IEP for Oliver should contain. Dr. Gilmore noted that any number of things, apart from school, could be stressful for Oliver. Dr. Gilmore testified that he had last seen Oliver in October (it was now February 1). Dr. Gilmore had not personally observed any worsening symptoms but relied on parental reports about Oliver’s condition to make informed judgments. He had no information from the school. Dr. Gilmore had not changed any of Oliver’s treatment regimens over the past year.” No new meds or interventions were introduced since Oliver’s removal from school.

- The Hearing Officer (Lindsay Byrnes) found that Agawam was correct in disputing the adequacy of the completed form. She wrote a very clear description of what Massachusetts regulations require in terms of completing the form. This is not a lengthy case and one that you might want to have handy to assist principals in their role of being in charge of home-hospital tutoring. It is typical that only general educators and special education staff and administrator(s) were at the BSEA Hearing. This is the conclusion of HO Byrnes’ decision:

“To summarize the pertinent regulation and the guidance from the Massachusetts Department of Education: qualification for publicly funded home tutoring services requires, at a minimum, a statement from a physician verifying that a student “must remain at home” for
“medical reasons.”

- In this matter the record shows that the School District has not received a Home Hospital Education Statement meeting these minimal criteria. The form 28R3 completed by Dr. Gilmore in January contains no language indicating that Oliver must remain at home. Nor does it indicate that there is a new medical condition, an exacerbation of a previous condition, a treatment, or some other identifiable medically related problem, which currently prevents Oliver from attending school. (See also P. 4 supra.) It lacks both an initial date of confinement and a prediction of the anticipated duration of the confinement. That is not surprising as it is clear from the testimony of both Dr. Gilmore and the Parent that Oliver is not actually “confined” to home, or restricted in any activity, due to Tourette’s Syndrome and/or Migraine headaches.

- I note particularly that Dr. Gilmore has not seen Oliver since October at which time Oliver was attending school, has not noted any changes in Oliver’s medical presentation since that visit, and has not recommended any changes in Oliver’s medical treatment.

- The preponderance of the evidence in this record supports the conclusion that Oliver is not attending school because the Parent is unhappy with the school program for him. While there may be legitimate concerns about the school program for Oliver, there is insufficient evidence in this record of the medical reason required by statute and regulation to initiate a publicly funded home tutoring program. Therefore, I find that the decision of the Agawam Public Schools to decline to provide the home tutoring requested by the Parents should be affirmed.”
Diman Home-Hospital Tutoring Process:

Parent contacts Guidance or School Nurse and receives form to bring to physician overseeing student’s illness;

Completed form is received by Guidance or School Nurse and forwarded to Ms. Pacheco in Special Education Department for review to ensure completeness of information;

If complete, form forwarded for assignment of tutor;

If absence due to medical issue, form forwarded to School Nurse who becomes Re-entry Team Leader if plan is required;

If absences due to psychological/emotional/trauma issue, form forwarded to Guidance for assignment of Re-entry Team Leader.

Monitoring of the tutoring/need for Re-entry Team meeting will be done through the Special Education Department, with status reporting by the assigned Guidance Counselor or School Nurse as changes occur (e.g., student discharged, further issues identified, etc.)
Physician’s Affirmation of Need for Temporary Home or Hospital Education for Medically Necessary Reasons

Massachusetts Department of Elementary and Secondary Education regulation, 603 CMR. 28.03(3)(c), provides:

Upon receipt of a physician’s written order verifying that any student enrolled in a public school . . . must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period not less than fourteen school days in any school year, a student is eligible to receive educational services in that setting, temporarily, from the public school district…

All fields must be completed and all required information provided in order for this form to be a valid authorization for service.

RETURN THIS COMPLETED FORM TO YOUR SCHOOL DISTRICT

<table>
<thead>
<tr>
<th>Student Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Name: ____________________________ DOB: ______________</td>
</tr>
<tr>
<td>Address: __________________________ School District Name: __________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physician Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physician’s Name: ____________________________ Telephone #: __________________________</td>
</tr>
<tr>
<td>Type of Authorizer (M.D. or Nurse Practitioner): __________________________</td>
</tr>
<tr>
<td>License #: __________________________</td>
</tr>
<tr>
<td>Address: __________________________</td>
</tr>
</tbody>
</table>
I affirm that it is medically necessary that the above named student must remain on a day or overnight basis:

☐ At home, or ☐ in a hospital or ☐ any combination of both

For a period of:

☐ At least 14 days, or ☐ on a recurring basis that will accumulate to at least 14 days over the course of the current school year

Medical diagnosis and reason(s) student is confined to the home, hospital or is otherwise unable to attend school for medical reasons:

Date student was admitted to hospital or began confinement at home: ____________________

If the student also requires a reduction in the regular school workload due to this condition while at home or in a hospital, describe those limitations:

If the student also requires other modification to the educational program while at home or in a hospital due to the medical condition, describe those:

The student is expected to return to school on (Date must be provided) ____________________. (If there is a continued medical need beyond this date, the student’s parent or guardian must submit to the school district a new signed form from the physician in order to verify the need to continue the provision of educational services in the home and/or hospital).

**Physician’s Affidavit of Student’s Medical Need for Home/Hospital Services**

I am the above-named student’s treating physician and am responsible for the student’s medical care. I hereby certify that the student must remain at home or in a hospital, or any combination of both, on a day or overnight basis for a period of at least 14 days, or on a recurring basis that will accumulate to 14 days over the course of the school year, for the medical reasons articulated above.

Physician’s Signature: ________________________________

Date: ______________________________________________

For additional information see [www.doe.mass.edu/pqa/ta/hhep_qa.html](http://www.doe.mass.edu/pqa/ta/hhep_qa.html) or call the Problem Resolution System office (781) 338-3700.
Physician’s Affirmation of Medical Reasons That Student is Likely to Remain at Home, in a Hospital, or in a Pediatric Nursing Home for More than 60 School Days

Massachusetts Department of Elementary and Secondary Education regulation, 603 CMR 28.04(4) provides:

If, in the opinion of the student's physician, an eligible student is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons for more than 60 school days in any school year, the Administrator of Special Education shall, without undue delay, convene a Team to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances.

RETURN THIS COMPLETED FORM TO YOUR SCHOOL DISTRICT

<table>
<thead>
<tr>
<th>Student Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Name: __________________</td>
</tr>
<tr>
<td>Address: ______________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physician Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physician’s Name: __________________</td>
</tr>
<tr>
<td>Type of Authorizer (M.D. or Nurse Practitioner): __________________</td>
</tr>
<tr>
<td>License #: ____________________</td>
</tr>
</tbody>
</table>

I affirm that it is likely that it will be medically necessary that the above-named student remain:

☐ At home or

☐ in a hospital or

☐ in a pediatric nursing home or

☐ any combination of the three

For a period of more than 60 school days in the school year.

Medical diagnosis and reason(s) student must remain in the home, hospital, pediatric nursing home, or is otherwise unable to attend school for medical reasons:

Date student was admitted to hospital or pediatric nursing home, or began medical treatment at home:
____________________ Date

☐ The student is expected to be in the home, hospital, or pediatric nursing home for the remainder of the school year due to the medical condition, or

☐ The student is expected to return to school on (Date must be provided) _________________. (If there is a continued medical need beyond this date, the student’s parent or guardian can submit to the school district a new signed form from the physician to verify the need to continue the provision of educational services in the home, hospital, and/or pediatric nursing home.)

Physician’s Affidavit of Student’s Medical Need for Educational Services in the Home, Hospital or Pediatric Nursing Home

I am the above-named student’s treating physician and am responsible for the student’s medical care. I hereby certify that the student is likely to remain at home, in a hospital, or in a pediatric nursing home for a period of more than 60 school days in the school year, or on a recurring basis that will accumulate to more than 60 school days over the course of the school year, for the medical reasons articulated above.

Physician’s Signature: ________________________________
Date: ____________________________________________

Please note that, if further information is needed, the school district may seek parental consent and be in contact with you as the treating physician.

RETURN THIS COMPLETED FORM TO YOUR SCHOOL DISTRICT

Additional information can be found via the Question and Answer Guide on the Implementation of Educational Services in the Home or Hospital.
HOME AND HOSPITAL TUTORING FLOW CHART

Home and Hospital Referral Form completed and submitted to Principal’s Designee.

Home and Hospital Tutoring is **not approved**

Meeting is held regarding student. If student has a disability, a team meeting is scheduled.

If medical hospitalization, nurses to check in with placement every two weeks or as deemed necessary by nurses’ supervisor.

Plan developed as warranted. Special Education testing, 504 Plan, and medical plan will be considered if warranted.

Home and Hospital Tutoring is **approved** (HOSPITAL).

Principal’s Designee handles contract and billing.

Packet is sent home to family outlining Home and Hospital Tutoring procedure, including re-entry process and sharing relevant documentation.

Re-entry meeting is held. Plan is developed. Paperwork is reviewed, and recommendations are considered. Supplemental tutoring and temporary accommodations will be considered.

Supplemental tutoring is deemed necessary. This tutoring will take place at school but follow home tutoring procedure.

Home and Hospital Tutoring is **approved** (HOME)

Principal’s Designee sends approval to Guidance Department. Student’s current teachers are requested for tutoring.

If psychiatric hospitalization, Guidance Counselor to check in with placement every two weeks or as deemed necessary by Director of Guidance. Work is requested from teachers by the Guidance Counselor.

If student’s current teachers are not available, the Guidance Counselor will provide the Principal with an email request for tutors to be sent to all staff.

Once tutors are identified, Principal will develop contract and notify Parent/Guardian of tutoring requirements.
IMPLEMENTATION of HOME /HOSPITAL-BASED EDUCATIONAL SERVICE GUIDELINES

In accordance with the Massachusetts regulation requiring educational services in the home or hospital is 603 CMR 28.0.J(3)(c) and incorporating procedures at Diman Regional Vocational Technical High School (DRVTHS), the following process will apply:

1. Upon receipt of a physician’s written order verifying that any student enrolled at DRVTHS must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal designee shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program and will not interfere with the medical needs of the student. The principal shall coordinate such services with the Administrator for Special Education for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student’s IEP.

2. Students with chronic illnesses who have recurring home/hospital stays of less than 14 consecutive school days, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year. are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician. Home and hospital educational services under 603 CMR 28.03(3)(c) will begin without undue delay after DRVTHS receives written notice from the student’s physician that such services are necessary.

3. Home/hospital instruction is not considered “special education” unless the student has been found eligible for special education. Home/hospital instruction typically is considered a regular education service since it is in the interest of both the individual student and the school to make it possible for the student to keep up with schoolwork while s/he is unable to attend school for medical reasons.

4. If, in the judgment of the student’s physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school days in any school year, the Administrator of Special Education will convene a Team meeting to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student’s unique circumstances. (See 603 CMR 28.04(4).)

5. Service delivery, including the time of day the services are to be delivered, should be determined in the best interests of the student and in consideration of the medical circumstances of the student.

6. When planning and delivering home or hospital educational services, DRVTHS will carefully consider all aspects of a student’s educational program, while attending school, including any current IEP services, Section 504 plans and instructional accommodations, as well as the student’s general education services.

7. Instruction that is provided in the home or hospital for public school students under
603 CMR 28.03(3)(c) will include the same academic content as that provided in the student’s regular school-based program.

8. Appointments for services will be scheduled when a parent/guardian and/or a responsible person is at home.

9. Any student who does not keep scheduled appointments (unless the student produces medical documentation for the scheduled time period), does not complete assigned work, does not cooperate with the tutor, and/or fails assessments, tests, etc. may be subject to failure for the trimester/course.
Section 2: Student

Re-entry Process

Although some students may easily transition back to the school setting and pick up where they left off following a hospitalization, other students may require re-entry planning to enable them to transition back to the school environment. This is especially true where absences followed trauma or emergency hospitalization due to behavioral, emotional or other psychologically based events. For some students at the high school level, an initial diagnosis of significant mental or emotional disabilities is a result of an unusual and “out of the blue” incident. For these students in particular, re-entry to the school setting can be fraught with anxiety about how they will be perceived, how to explain their absence, how to explain the incident or how to avoid such discussions if conversations may trigger reactions and how to repair their academic standing while continuing to deal with the underlying issues.

Diman has put in place a process for bringing together family members, the student, experienced school staff and specially trained personnel to develop a plan as soon as the student’s issue/hospitalization/school absence is identified. The Diman planning process results in an articulated, coherent blueprint that assesses needs, identifies in-school supports being linked with any outpatient clinical service providers and includes support to the family during this stressful time.

Diman has created a planning template for overall guidance of Re-entry Team discussion and task assignments. In addition to the Team guide on the following pages, there are several other documents the appendix including:

- Release to participate in Vocational Education Settings form
- A return to school Treatment Plan form for activities
- The Children's Hospital/Harvard Medical School Concussion Recovery Guidelines for Academics

Once a student is discharged or once discharge is being discussed by the hospital treatment team, parents are encouraged to inform Diman's Re-entry Team Liaison (School Nurse or assigned Guidance Counselor) to enable them to begin the initial steps to obtain necessary information for the Re-entry Team meeting. Parents are encouraged to support the participation of their students in this re-entry process. It is an opportunity for the student to enter the school for a meeting about him/her, with no pressures, no demands, to be greeted by familiar encouraging adults and to help develop the best plan for a successful transition back into school and into his/her community of peers.
Diman High School Student Re-Entry Plan Checklist

Student Name: ___________________________ Date: ___________________

Team Leader: ___________________________ Grade: _______

**Directions:** This form is designed to help guide discussion around the needed supports and adaptations to provide a successful school re-entry following extended absence from school, hospitalizations or traumatic incidents impacting the student.

<table>
<thead>
<tr>
<th>Are all the key staff and family members involved in the Re-entry Team planning meeting?</th>
<th>□ Yes</th>
<th>□ No</th>
</tr>
</thead>
</table>

Indicate people involved in process, including titles:

- ___Student
- ___School Psychologist
- ___Parent(s)
- ___School Social Worker
- ___Hospital Liaison
- ___School Counselor
- ___Case Manager
- ___Classroom Teacher(s)
- ___School Administrator
- ___School nurse
- ___Outpatient therapist
- ___Special Ed Teacher
- ___Others as appropriate (please specify):

**PRIOR to SCHOOL REENTRY:**

<table>
<thead>
<tr>
<th>Staff member designated as Re-entry Team Leader</th>
<th>Date completed:</th>
<th>Name of Re-entry Team Leader:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Re-entry Team Leader contacts parent(s) &amp; obtains consents; Re-entry Team Leader contacts hospital/treatment team.</th>
<th>Date completed:</th>
<th>Summary of contacts:</th>
</tr>
</thead>
</table>

**Assess student re-entry needs**

<p>| Do students have academic needs? | □ Yes | What are they? |</p>
<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>What are they?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do students have social/emotional needs?</td>
<td></td>
<td>No</td>
<td>What are they?</td>
</tr>
<tr>
<td>Do students have physical needs?</td>
<td></td>
<td>No</td>
<td>What are they?</td>
</tr>
</tbody>
</table>

**Assess family reentry needs**

<table>
<thead>
<tr>
<th>Task</th>
<th>Date completed:</th>
<th>Person(s) responsible:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Help link to outpatient therapist</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Help link to social support</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Task</th>
<th>Date completed:</th>
<th>Person(s) responsible:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Help student develop plan for answering questions/comments by staff and peers about absence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Help student develop plan for possible “rough” situations; determine whether School Crisis Plan needs to be adapted</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact in-patient staff to determine interventions needed to promote student adjustment, stress management and request discharge summary and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment team contact.</td>
<td>Date completed:</td>
<td>Person(s) responsible:</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Determine policy for missed work, grading.</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Schedule discharge staffing:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Inform teacher(s) about absence:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Inform teacher(s) about Symptomatology/triggers:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Inform teacher(s) of Medications and side effects:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Inform teacher(s) of behavioral strategies/accommodations to promote student transition:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Identify and inform supportive adults at school:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>Identify and inform supportive peers at school:</td>
<td>Date completed:</td>
<td>Person responsible:</td>
</tr>
<tr>
<td>(Inform peers about absence, disorder) – Note: Decision should be individualized &amp; based on student &amp; parent input.</td>
<td>□ Yes □ No</td>
<td>Person responsible:</td>
</tr>
</tbody>
</table>

**FOLLOWING SCHOOL RE-ENTRY**

<p>| Check in with student on a daily basis for 1-3 months after school re-entry: | Start Date: | Staff Responsible: |
| Implement academic interventions, if needed: | Start Date: | Staff Responsible: |</p>
<table>
<thead>
<tr>
<th>Activity</th>
<th>Start Date</th>
<th>Staff Responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implement social/emotional interventions, if needed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implement physical interventions, if needed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Progress monitor student:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain ongoing contact with Parents:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain ongoing contact with outpatient therapist:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule Re-entry Team meeting to review student’s progress:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitor plan fidelity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintain &amp; disseminate contact information for all key team members as appropriate:</td>
<td>Date Completed</td>
<td>Staff responsible:</td>
</tr>
</tbody>
</table>

Adapted from Illinois Alliance of Administrators of Special Education (www.iaase.org)
In planning on-going preparation drills and emergency strategies, Diman is aware that for some students the break in a predictable schedule, the noise associated with alarms or the need to self-regulate for a perceived lengthy amount of time in a quiet, enclosed area can trigger behaviors and responses that can impact the overall effectiveness of the preparation or the long-term utility of the process.

To assist students for whom these drills or the event itself serve as barriers to personal or group safety, Diman’s special education staff have developed a process that involves focusing on individual student needs. This involves direct instruction on teaching students to be safe from a variety of dangers, including natural disasters, school violence and how to participate appropriately in drills. Using the Council of Exceptional Children resource, “Supporting Students With Disabilities During School Crisis: A Teacher’s Guide”, Diman has assessed the need to develop Individual Emergency and Lock-down Plans (ILPs) for specific students annually. As Diman’s student population grows more diverse in terms of the level of disabilities of entering students, the Special Education Department has put in place the annual threat assessment support process to ensure that during practices, drills and unforeseen emergencies, students whose individual disability impacts put them at risk for inappropriate or resistant behaviors have the support they need to actively participate and to understand the purpose without experiencing increased anxiety levels.

The following are examples of the tools being used to support students identified as needing ILPs as well as elements for staff review to ensure students have a common understanding of the purpose and the requirements of drills and practices.
<table>
<thead>
<tr>
<th>Tool</th>
<th>How It Can Be Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Emergency &amp; Lock-down Plan</td>
<td>One created for and kept with each student; ensures that emergency personnel will know what the student needs to support his or her physical and emotional/communication needs.</td>
</tr>
<tr>
<td>Social Narrative/scripts</td>
<td>Teach steps of lock-down drill in each location; ensure students knows what s/he should do in each environment.</td>
</tr>
<tr>
<td>Individual Student Lock-down Bag</td>
<td>To support an anxious or challenged student during lock-downs. Purpose is to keep the student quiet. Bag should include preferred tasks that the student could access if alone during lock-down. Items to include: low-light flashlights for students who are afraid of the dark or social story for students to remind them what they should be doing.</td>
</tr>
<tr>
<td>Sensory Items</td>
<td>For students with specific sensory needs, include sensory items in the bag. Provide hiding spots in each location that might support those needs. A student who seeks lots of pressure might do well hiding under a counter or near a wall where s/he can press against a cabinet or the wall. Allow the student to practice using this location.</td>
</tr>
<tr>
<td>Flow Chart</td>
<td>To remind the student of what is happening, review the chart (&quot;First we hear the announcement or the alarm or an adult tells us to hide.&quot;) and what might happen next.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Behavior Plan/Reinforcement</td>
<td>For students who have issues with following directions. Build compliance through access to preferred activity/item for a target amount of time spent appropriately. Include incentives or reinforcers in the emergency bag for self-rewarding if needed.</td>
</tr>
</tbody>
</table>
### Diman Special Educator’s Emergency Plan Procedural Checklist

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Develop a clear safety plan for evacuations or lock-downs across the entire building or for areas in which you are working with students needing support. Consider obstacles such as stairs, locked egress doors, and loud alarms that might be a physical, sensory or emotional barrier for a student.</td>
</tr>
<tr>
<td>2</td>
<td>Develop a clear safety plan for different times of the day. Include contingencies for busy traffic times, such as the beginning and end of day and during lunch and schedule changes for events such as school assemblies.</td>
</tr>
<tr>
<td>3</td>
<td>Develop individual emergency and lock-down plans for target students.</td>
</tr>
<tr>
<td>4</td>
<td>Involve local emergency personnel (police, fire, EMT, etc.) annually in any plan to ensure that they are aware of specific needs of specific students with disabilities so that in the event of an emergency, they are familiar with those students requiring specialized procedures.</td>
</tr>
<tr>
<td>5</td>
<td>Teach students what to do or review processes even if you think they already are aware of them. This includes how, when and where to go and when they can come out (what words might be said, such as an “all clear” announcement or police officers identifying themselves). When can they return to the building during a drill or fire alarm practice.</td>
</tr>
<tr>
<td>6</td>
<td>Practice the plan at least once with students in your classroom before any planned building-wide drill. Notify administration of the need for practice.</td>
</tr>
<tr>
<td>7</td>
<td>Provide opportunities for practice or for discussion that can be related to news stories or national incidents. Some of your students may require multiple explanations and options to discuss/practice to maintain skills.</td>
</tr>
<tr>
<td>8</td>
<td>Practice or discuss plans/options in every classroom in which you work with students who have been identified as needing extra support.</td>
</tr>
<tr>
<td>9</td>
<td>Practice or discuss plans/options in the halls and community areas of the building. For example, if the student is in the restroom or taking a note to the office, where should s/he go in the event of an emergency.</td>
</tr>
<tr>
<td>10</td>
<td>Keep copies of IELPs with lesson plans and class rosters; reference their existence in the Additional Information section of their IEP.</td>
</tr>
</tbody>
</table>
1. Keep an emergency bag with you/in your desk for students that will help them maintain safety in the event of an emergency, an evacuation or a lock-down. The bag can include snacks, activities or other things to keep students occupied and quiet and to calm any anxiety or triggering behaviors. Include any needed medical supplies such as masks for respiratory difficulties, snack items for groups, any medications for students with allergies or diabetes.
Diman Regional Special Education Department Educational Opportunities
Processes

Diman’s Special Education Department implements all appropriate and necessary procedures to comply with state and federal regulations, including School Committee Policy JB. This policy reflects state and federal regulations to ensure that every student is given equal opportunity regarding school admission, course participation, program content, necessary supports, and extracurricular/athletic activities. This opportunity is provided to every student.

The Diman Special Education Department will provide services and outreach to those students in particular whose personal situation is impacted by homelessness, placement in foster care, arrival as unaccompanied youth, or English Language Learner/a member of an immigrant or migrant family as well as those students whose mobility reflects membership in a military family.

Students experiencing any of the above situations are offered all learning opportunities as well as specialized services through implementation of their IEP or through evaluation to determine eligibility for coverage under the Individuals with Disability Education Act (IDEA). Diman’s Director of Special Education and/or Team Chairperson and Homeless Liaison should review living situations for entering students to identify specific status or living situations requiring assessment of the need for additional outreach or consideration. Should remote learning or hybrid instruction be required, similar remote learning opportunities must be provided, as well as assessment to ensure that access to the internet, equipment and data are provided or available.

The required confidentiality related to homeless situations, foster care placements and other causes of student mobility will be respected, with necessary information shared by only those with a need to know to ensure regulatory compliance and provision of needed services.

- **Homeless students**: Students sharing the houses of others due to loss of housing, living in hotels/motels/emergency shelters/ transitional housing/cars/parks or migratory students living in such settings are defined as homeless. Diman’s Homeless Liaison should be informed of living situations which might require that the current IEP be Amended to address any emerging issues which would exacerbate an existing disability’s impact on learning.

- **Students in foster care**: Diman’s Director of Special Education and/or Team Chairperson should identify primary contacts to ensure all stakeholders in the student’s IEP are participants in Team meetings. These key IEP Team members, the DCF case worker and foster parents, as well as any others. The list may include Educational Surrogate Parent (ESP) who has signing responsibilities in terms of consents/IEPs/Placement, Court Appointed Special Advocate (CASA), and Guardian Ad Litem (GAL). The Team Chairperson and/or Special Education Liaison should be
identified as Diman’s representative in any scheduled Best Interest Determination (BID) meetings.

- **Students who are English Language Learners (ELL):** Diman provides instructional practices and supports so that ELs receive appropriate instruction that enables them to make adequate progress in attaining English proficiency and academic achievement in the general curriculum. In addition to specialized vocational programs, Diman’s curriculum content reflects the Massachusetts Common Core/Curriculum Frameworks and the WIDA English Language Development (ELD) Standards. Implementation of IEPs for ELL students with disabilities is partnered with those general education services which bridge the student’s primary language and English. In addition, the Team Chairperson will ensure that translators are available for all elements of the IEP process and that documents are provided to non-English speaking parents in their primary language.

- **Students in military families:** Students whose prior school experience includes out of state/out of country settings and who transfer into Diman with an identified disability or with an out of state IEP are provided immediate access to IEP implementation, with the Team reconvening to adjust the entering IEP around Diman’s unique vocational/academic scheduling. Guided by the Military Interstate Children’s Compact, Diman provides IEP services immediately without delaying and as guided by the Compact, the Special Education Department will accept any “unofficial” records to enroll and place the student pending reception of the official records.

- **Students who are unaccompanied or with migrant/recently immigrated families:** Students in these situations would have an initial point of contact in their district of residence. Upon transferring to Diman or entering 9th grade the Director of Special Education and/or Team Chairperson will coordinate with the Diman Homeless Liaison to ensure that a smooth transition that includes identification and provision of student and family supports are in place. As with students who are homeless, students who are unaccompanied, migrant or recently immigrated should be monitored to ensure internet access should remote or hybrid instruction models be implemented.
Appendix 9.A Unaccompanied Youth Eligibility

HOMELESS:
SHOULD be enrolled as UHY under MV

Is the student residing with someone who is not a
parent or court-appointed legal guardian?

NOT HOMELESS:
SHOULD NOT be enrolled as UHY under MV

Family was evicted; cannot find
housing all together, so parent
placed child temporarily with a
friend or relative

Why is the student with this person?

Parent transferred for work; plan
for student care & support in place
so student can stay to finish school

Student left home due to danger
or extreme conflict; student was
put out of home by parent for a
similar reason

Student moved in with a friend,
relative, or coach to play sports,
be in the band, attend a magnet
school, finish out school year, etc.

Family was homeless prior to the
parent's incarceration or the
caregiver arrangement is not
fixed, regular, and adequate

Parent is incarcerated and a
relative or friend agreed to care
for the child

Student did not change
residences, caregiver moved in;
person made arrangements for
the student prior to incarceration

Family lost housing; parent placed
the child temporarily with a friend
or relative

Parent enrolled the student and
then left the area

Parent's work schedule was
problematic, so the child stays
with relatives for school

NOTE: The information contained in this flowchart is intended to serve as a general guide. All McKinney-Vento eligibility determinations should be made on a case-by-case basis weighing the individual circumstances of each student. To be eligible for McKinney-Vento services as an unaccompanied homeless student, the student must meet the criteria of both homeless and unaccompanied.

I.  Background

A.  The Massachusetts Competency Determination Requirement

The Massachusetts Education Reform Act of 1993 requires that all students who are seeking to earn a high school diploma, including students educated at public expense in educational collaboratives and approved and unapproved private special education schools within and outside the state, must meet the Competency Determination (CD) standard, in addition to meeting all local graduation requirements.

To meet the CD standard, students in high school who take the “next-generation” MCAS tests must earn:

- a minimum scaled score of 472 on the “next-generation” MCAS **English language arts** (ELA) grade 10 test or retest (Note: if the score is between 455-471, fulfillment of an Educational Proficiency Plan (EPP) is also required);
- a minimum scaled score of 486 on the “next-generation” MCAS **Mathematics** grade 10 test or retest (Note: if the score is between 469-485, fulfillment of an Educational Proficiency Plan (EPP) is also required).
- **Science and Technology/Engineering** tests are “legacy only.” See below for requirements in this content area.

Students in high school who take “legacy” MCAS tests, which predate the “next-generation” MCAS tests, must earn scaled scores of at least:

- a minimum scaled score of 240 on both the “legacy” MCAS **ELA** and **Mathematics** tests or retests;
- a scaled score between 220 and 238 on the “legacy” MCAS **ELA** and/or **Mathematics** tests or retests and fulfillment of the requirements of an **EPP**;
- a scaled score of at least 220 on one of the high school MCAS **Science and Technology/Engineering** (STE) tests: biology, chemistry, introductory physics, or technology/engineering. (Note: with the transition to “next-generation” Introductory Physics and Biology test in spring 2022, the Board of Elementary and Secondary Education will establish an interim passing CD standard that will reflect a comparable level of achievement to the “legacy” MCAS STE score (i.e., a score comparable to 220).

(Information on the EPP is on the web page for the **Office of College and Career Readiness**.)
B. The MCAS Performance Appeals Process

In addition to the standard MCAS tests, retests, and competency portfolios, students may earn a CD through the MCAS Performance Appeals process. The Board established the MCAS appeals process in 2002 for students who have been unable to demonstrate the required performance level on MCAS tests to show through their coursework that they have the knowledge and skills to meet or exceed the passing standard. When granted, a performance appeal is not a waiver of CD requirements, but an alternative pathway to document the student’s knowledge and skills needed to earn the CD.

If school and district officials believe that there is evidence that a student has demonstrated the attainment of the state's learning standards through his or her coursework, the superintendent may submit a performance appeal to the Commissioner on behalf of the student.

Updated cohort worksheets, appeals guidelines, and portfolio appeals requirements are available for students who took the “Next-Generation” MCAS.

II. Overview of MCAS Performance Appeals

A. Eligibility Criteria

For a performance appeal to be considered, a superintendent or executive director must submit evidence that shows that the student meets the following eligibility requirements:

1. The student has taken the test/retest in the content area of the appeal, as follows:
   - For English Language Arts (ELA), at least three times (or completed the ELA MCAS-Alt at least twice) at the high school level.
   - For Mathematics, at least three times (or completed the Mathematics MCAS-Alt at least twice) at the high school level.
   - For Science and Technology/Engineering (STE), at least once (or completed a high school STE MCAS-Alt once) at the high school level and is currently enrolled in a high school STE course or has completed grade 12. The appeal must be in the same STE discipline as the MCAS test taken by the student.

2. The student has maintained a minimum attendance rate of 95% during the school year prior to and during the year of the appeal (e.g., no more than nine days absent from school during a 180-day school year).

3. The student has participated in school-sponsored tutoring or other academic support services in the content area of the appeal.

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*Students who transfer to a publicly funded Massachusetts high school in mid-March or later of their senior year are exempt from the eligibility requirements. Please see Section B for instructions for submitting transcript appeals for these students.*
The Commissioner has the authority to waive one or more of the eligibility requirements described above if there are extenuating circumstances such as serious illness, childcare commitments, hardship, or disability. In such cases, the superintendent or executive director must include a written justification for a waiver with the appeal application.

If an appeal is denied, or if the appeals review board is not able to make a determination on the appeal, the district may submit a subsequent appeal on behalf of the student once additional information becomes available, as long as the student meets the eligibility requirements. If an STE appeal has been denied, the student must take another MCAS discipline-specific test in either the same or a different high school STE discipline (i.e., biology, introductory physics, chemistry, or technology/engineering) in order to be eligible for a subsequent appeal.

B. MCAS Performance Appeal Formats and Required Evidence

This section describes the three types of performance appeals and the requirements of each. A completed MCAS Performance Appeal Application must be submitted using the new online application process, with all appeals. The online application system is located in the Department’s Security Portal. Please review detailed instructions for using the online application process.

1. Cohort Appeal

A cohort appeal is based on a comparison of the grade point average (GPA) and MCAS scores of the student for whom the appeal is filed (the appellant); and those of at least six other students in the school (the cohort) who were enrolled in the same courses at the same time as the appellant in the subject of the appeal “legacy” MCAS test, or the “next-generation” MCAS equivalent score range in the subject of the appeal (i.e., of 455–462 (ELA) and 469–476 (mathematics).

To file a cohort appeal, the superintendent or executive director must complete an MCAS Performance Appeal application, a cohort worksheet, and local course descriptions. Customized or handwritten cohort worksheets will not be accepted.

Please review the instructions for completing the cohort worksheet. GPAs must reflect end-of-course grades.

The cohort worksheet must include the following:

- A cohort group consisting of all students in the school whose MCAS scores in the relevant subject are between 220–228 on legacy MCAS tests (or between 455–471 on “next-generation” ELA and between 469–485 on “next-generation mathematics” tests) and who took the same relevant course(s) at the same time as the appellant. The cohort must include six or more students who meet these criteria.

- If at least six students cannot be included in the cohort, the district may request a modified cohort worksheet from the Department at mcasappeals@doe.mass.edu that will allow the inclusion of students who scored above 228 (or the next-generation equivalent score). On the modified cohort worksheet, the MCAS score range for the cohort should be extended only to the minimum score needed to attain a comparison group of at least six students. All students in the extended MCAS score range must be included.
in the comparison group. Please specify the highest MCAS score that will be included when requesting a modified cohort worksheet.

- State Assigned Student Identifiers (SASIDs) for the appellant and all students in the cohort
- Course titles and grade levels for each course included on the worksheet
- **End-of-course** grade point averages for each course listed for the appellant and for each student in the cohort
  - Quarterly or partial GPAs may **not** be used unless the student transferred into the school in grade 12.
- The highest MCAS test score received by the appellant and all students in the cohort

**Course descriptions** must also be included for all courses listed on the cohort worksheet, indicating the breadth and depth of the course and the curriculum framework standards in the subject of the appeal that were addressed. An appeal will only be granted if the courses included in the cohort worksheet fully address (together or separately) the curriculum framework in the subject of the appeal.

- For **ELA** appeals, the courses listed must include those taken in **grades 10 and 11**. Courses in grade 9 and grade 12 may also be included at the school’s discretion.
- For **Mathematics** appeals, **Algebra and Geometry** courses must be included. Other relevant courses may also be included at the school’s discretion.
- For **STE** appeals, the course(s) listed may have been taken by the student in grades 9, 10, 11, or 12. Only one course is required and it must be in the same discipline as the MCAS STE test taken by the student (i.e., biology, introductory physics, chemistry, or technology/engineering) and the STE discipline being appealed. Courses that indicate partial coverage of the high school standards in the subject, or that are part of a series of courses (e.g., “Biology I”), must be listed on the cohort worksheet with a description of the standards covered by the course in the course description.

If the appellant has attended more than one high school, transcripts from previous high schools should be included, where available.

Cohort appeals are reviewed monthly during the school year (October through June) and must be submitted by the **first Friday** of the month in which the appeal will be reviewed. Decisions are communicated online within 10 days of the review.

### 2. Portfolio Appeal

In cases in which there are fewer than six students in the school who have taken the same sequence of courses as the appellant, it will not be possible to file a cohort appeal for a student. In other cases, an appellant’s GPA may be too low for a cohort appeal to be granted.
In those cases, the superintendent or executive director may submit a portfolio of the student’s current and/or cumulative work in the content area of the appeal.

Each portfolio appeal must be submitted using the new online appeals application process, and must include the components described for each subject in the guidelines for filing portfolio appeals. Each piece of student work in the portfolio must be attached to a completed High School Competency Portfolio Work Description form.

The student’s work must be at a level that is comparable to a student who has scored at least 220 on the grade 10 “legacy” test in that subject (or the scaled score equivalent of 220 on the “next-generation” MCAS test or retest in that subject, as described on page 1) in order for the appeal to be granted.

Portfolio appeals are reviewed three times each year, in November, May, and July. Notification of decisions will be made according to a published timetable.

3. Transcript Appeal

Students who transfer to a publicly funded Massachusetts high school after the MCAS retests are administered (i.e., in mid-March or later) of their senior year are not required to meet the eligibility requirements to submit an MCAS Performance Appeal because the student would not have had sufficient time in which to take the required MCAS tests or retests. Instead, the district may submit transcripts, GPA, standardized test scores, and other relevant academic evidence with the completed appeal application, along with the date of the student’s transfer to the high school.

Students who transfer to a publicly funded Massachusetts high school between September and March of their senior year must participate at least once in the MCAS retest(s) and February Biology or June high school STE test before an appeal will be considered.

Each transcript appeal must be submitted online, and accompanied by an MCAS Performance Appeal Application and must include the following information, when available:

- a completed cohort worksheet, if the student has taken a high school MCAS test in the subject of the appeal and has completed at least two quarters of a relevant course
- transcripts from current and previous high schools
- standardized test scores (e.g., SAT, ACT, high school statewide assessment, or state exit exam), with score interpretation, if available
- college acceptance letters
- academic awards and scholarships
- date of transfer to the high school

Transcript appeals will be reviewed monthly from October through June, according to the timetable for review of cohort appeals.

4. Submission of Alternative Evidence for a High School Student in a Military Family

With the enactment of Chapter 108 of the Acts of 2012, An Act Relative to Veterans' Access, Livelihood, Opportunity, and Resources, also known as the VALOR Act, Massachusetts joined the Interstate Compact on Educational Opportunity for Military Children. In accordance with the VALOR Act, the Department is committed to facilitating the on-time graduation of high school students in military families by providing alternatives to allow these students to earn a high school Competency Determination (CD)
If a high school student in an active military family moves from another state and enrolls in a Massachusetts high school in grade 11 or later, the district may, in lieu of having the student participate in MCAS retests, submit to the Department alternative evidence similar to a transcript appeal (see previous page) that demonstrates that the student has met the Massachusetts CD graduation standard in the required content areas—English language arts, mathematics, and science and technology/engineering—especially if the student has taken and successfully completed another state’s exit exams in those subjects.

Appeals for high school students in military families must be accompanied by a completed Request to Submit Alternative Evidence for a High School Student in a Military and will be reviewed monthly during the school year (October through June) and must be submitted by the first Friday of the month in which the appeal is to be reviewed. Decisions will be available within 10 days of the review.

C. Filing MCAS Performance Appeals

Only a district superintendent (or designee) or the executive director of a charter school, approved private special education school, educational collaborative, or special education in an institutional setting (SEIS) program may file a performance appeal on behalf of a student. The Department encourages out-of-district programs to collaborate, if possible, with the student’s home district when submitting an appeal. MCAS cohort appeals must be filed using the new online application process.

If a superintendent or executive director declines to file an appeal for a student and the parent or guardian disagrees with the decision not to file an appeal, the parent or guardian should request an explanation. The parent or guardian may also discuss the matter with the school committee. If the parent or guardian (or student, age 18 or older) does not agree with the school committee's decision, he or she may contact the Department directly for advice.

An appeal for a student with a disability must be filed if a parent or guardian (or student, age 18 or older) requests it. Superintendents or executive directors may also initiate an appeal for a student with a disability upon receipt of written consent from the parent or guardian (or student, age 18 or older). Please see MCAS Performance Appeals for Students with Disabilities for more information.

There are no exemptions for any student from meeting the state’s academic performance standard in order to attain the CD, although some students in the classes of 2021-2023 may be eligible for the CD Modification as a result of the cancellation of MCAS testing in spring 2020 due to COVID-19. Students for whom evidence of meeting the minimum academic standard cannot be provided should continue to receive instruction in mathematics, ELA, or STE, and continue to take MCAS tests and retests. The student and/or his or her parent or guardian may also ask school leaders to submit a subsequent appeal if new and relevant information becomes available.

For additional information, see Frequently Asked Questions about the MCAS Appeals Process.

D. Evaluation of MCAS Performance Appeals

Cohort, transcript, and military alternative evidence appeals are reviewed by the MCAS Performance Appeals Board, a panel of educators who meet monthly during the school year to review submitted appeals and make recommendations to the Commissioner about the outcome of each appeal.

Portfolio appeals are reviewed by the Portfolio Appeals Review Panel consisting of high school content experts in ELA, mathematics, and STE who evaluate the evidence submitted in the portfolios and make recommendations as to whether the portfolio has met all requirements to earn the CD.
Each performance appeal will result in one of the following findings:

- Granted — the student will earn a CD based on the appeal finding.
- Denied — the student will not earn a CD based on the appeal finding.
- No Determination — a finding could not be made based on the information submitted in the appeal, and therefore the student will not earn a CD.

III. Communicating Performance Appeals Results to Districts

A. Cohort Appeals, Transcript Appeals, and Military Alternative Evidence Appeals

Within 10 school days of the Appeals Board’s decision, the Commissioner will make available online the results of each appeal—including a finding and a decision code explaining the finding—to the superintendent or executive director (or designee) who submitted the appeal. The district will be provided a downloadable sample parent letter that must be sent by the district to the parent or guardian of each appellant.

If the superintendent or executive director disagrees with the appeals finding, he or she may request reconsideration of the finding by submitting a written request within 21 days from the receipt of the Commissioner’s decision.

B. Portfolio Appeals

Results become available on the online MCAS Appeals application within four to five weeks after the Appeals Board reviews the portfolio appeal.

If a portfolio appeal is not granted, the district may resubmit the portfolio appeal for the next round of reviews with any additional information or work samples that have become available.

IV. Resources

A frequently asked questions (FAQ) guide is available to answer common questions about MCAS appeals. Additional information can also be found on the MCAS Appeals website. You may also email mcasappeals@doe.mass.edu or call 781-338-3333 with additional questions about MCAS Appeals.
Online MCAS Appeals Application Process

**How To:**
- Log in to the Security Portal.
- Create a new MCAS Performance Appeal Application.
- Enter SASID and student demographic information.
- Select appeal type.
- Review eligibility requirements.
- Attach supporting documents.
- Review supporting documents.
- Sign off and submit appeal.
- Complete a partially completed appeal that was created earlier.
An appeal for a **student with disabilities** must be filed if the parent/guardian (or student 18 years of age or older) requests it. Superintendents/executive directors may, also, initiate an appeal for a student with disabilities upon receipt of written consent from the parent/guardian (or student 18 years of age or older). This procedure should start for ELA/MATH after the November retest results come out in the student’s senior year. For BIOLOGY, it should start after the June retest results come out in the Fall of the student’s senior year.

The Superintendent must submit documentation or affirm the student has met or is on track to meet **local** graduation requirements, and the student’s expected graduation is supported by the IEP team (if any), as indicated on the IEP form.

**Preparation Checklist:**

- Complete MCAS Performance Appeal Application, including the date of submission at top.
- Indicate whether it is a resubmission on application.
- Provide a written request for a waiver if the student does not meet one or more of the eligibility requirements.
- Check appropriate boxes (required by law) if the appeal is being submitted on behalf of a student with disabilities.

**Evidence Checklist:**

1. The student has taken the test/retest in the content area of the appeal, as follows:
   - ELA, at least three (3) times (or completed the ELA-MCAS Alt twice)
   - Mathematics, at least three (3) times (or completed the Mathematics MCAS-Alt twice)
   - Science and Technology/Engineering (STE), at least once (1) (or completed an STE MCAS-Alt once). The appeal must be in the same STE discipline as the MCAS test taken by the student.
   - Students may be in the process of completing EPP.
2. 95% minimum attendance rate during the school year prior to and during the year of the appeal. No more than nine days absent for a 180-day school year.
3. The student has participated in school-sponsored tutoring or other academic support services in the content area of the appeal.

The Commissioner has the authority to waive one or more of the eligibility requirements described above if there are extenuating circumstances (e.g. illness, childcare commitments, hardship or disability). There must be written justification for a waiver with the appeal application.

If denied, or the appeals board not able to make determination, and additional information becomes available, the district may resubmit an appeal on behalf of the student, as long as the student meets the eligibility requirements. **STE appeal denied**, the student must take another MCAS discipline-specific test in STE subject (ie. Biology, chemistry, introductory physics or tech/engineering) in order to be eligible for a subsequent appeal.

**Attachments**

- MCAS Appeal Student Letter to be signed by parent/guardian if student not 18 years of age.
- Performance Appeal Application 2017-2018 (Example)
Dear

We have determined you meet the criteria to submit an application for an MCAS Performance Appeal in ____________. The MCAS Performance Appeals process provides a way for your academic grade point average in certain ________ courses to be reviewed by the Massachusetts Department of Elementary and Secondary Education.

By law, beginning with the Class of 2003, all Massachusetts public high school students must earn a competency determination in English, mathematics and science in addition to fulfilling local requirements to receive a high school diploma. The competency determination is awarded to students who demonstrate mastery of grade 10 learning standards in English Language Arts, Mathematics and science contained in the Massachusetts Curriculum Frameworks.

In addition to the standard MCAS tests and retests, students may also earn a competency determination through the MCAS Performance Appeals process. The MCAS Appeals Process was established by the Board of Education to address claims the MCAS tests do not accurately reflect the English and/or math, science knowledge and skills possessed by some students. Accordingly, the appeals process provides eligible students with a way to demonstrate they in fact do have the skills and knowledge equivalent to the grade 10 passing standard.

It is important to note the MCAS Appeals Process does not waive or exempt students from the competency determination requirement. It simply provides an additional mechanism for earning a competency determination to a relatively small number of students whose knowledge and skill are not adequately measured by standardized assessments like the MCAS.
Two criteria must be met for an MCAS appeal: you must be eligible and must demonstrate academic performance by exceeding the grade point average of classmates who passed the MCAS in ________ and were enrolled in your _________ class. A student is eligible for an appeal if he or she has:

1. taken the grade 10 MCAS test in the subject of the appeal at least three (once for science) times
2. maintained a 95% attendance rate in the junior and senior years
3. participated in tutoring and other academic support services made available or approved by the school.

Your permission is needed to move forward with the MCAS Appeals process. Please sign below to indicate you give Diman Regional Vocational Technical High School permission to file an MCAS Performance Appeal on your behalf.

We give our consent for Diman Regional Vocational Technical High School to submit an MCAS Appeal in science to the MA Department of Elementary and Secondary Education on behalf of Student Name.

__________________________________________  _______________________
Signature of Parent/Guardian                        Date

__________________________________________  _______________________
Signature of Student                                Date
Procedures for Students Requesting College Board Accommodations

The following information may be helpful to you when you are meeting with students:

- If a student with a disability is interested in applying for accommodations, they should do so as far in advance as possible from the testing date they wish to register. It can take up to 7 weeks for a request to be processed.

- There is a parental consent form that needs to be signed by the parent or student (18+) to allow us to share IEP/504 and testing information with the College Board. The College Board makes the determination about accommodations.

- For extra copies of the consent form please see Debbie Pacheco or they can be found in shared Guidance Drive.

- Return the following documents to Mrs. Debbie Pacheco:
  - Signed consent form (front)
  - Completed accommodation and student information (back)
  - Copy of latest testing if available for students who receive accommodations under Section 504.
  - Copy of current 504 Plan (IEP will be handled by Special Education Department)

- Mrs. Pacheco will apply for accommodations (and submit documentation, if requested) on the College Board website.
- When the accommodations are approved, Mrs. Debbie Pacheco is notified by email and the parent/student is notified by mail. An SSD # is assigned to the student.
- The list of SSD #s and the approved accommodations will be provided to the guidance counselor.
- The student can then register through the website like all other students and should enter their SSD # in the space provided. When they do this, Diman can become an option as a test site. Without the SSD #, only the local test centers are available from the drop down menu.

- Some students may register first without having an SSD# but they will have to call the College Board themselves to change their registration and test site.

- College Board contact the Guidance Office.

- A list of students receiving accommodations will be provided by the Guidance Department.

Updated January 2022
Consent Form for Accommodations Request

Student Information

Student Name: School:

Student Date of Birth:

I wish to apply for testing accommodation(s) on College Board tests (SAT®, PSAT™ 10, PSAT/NMSQT®, and/or Advanced Placement® Exams) due to disability. I authorize my school: to release to College Board copies of my records that document the existence of my disability and need for testing accommodations; to release any other information in the school’s custody that the College Board requests for the purpose of determining my eligibility for testing accommodations on College Board tests; and to discuss my disability and accommodation needs with the College Board. I also grant College Board permission to receive and review my records, and to discuss my disability and needs with school personnel and other professionals.

Student Signature: __________________________ Date:

Parent/Guardian Signature: __________________________ Date: ______ Parent/guardian signature is required if student is under 18.)

School Instructions

This form should be used when a request for accommodation(s) is submitted electronically (via SSD Online). The form should be maintained by the school with the student’s records. It does not need to be sent to the College Board. You will be asked to verify that a signed consent form is on file at the school prior to submitting a request for accommodations.

© 2021 College Board.
For parents and students to directly request accommodations on College Board tests (SAT, SAT Subject Tests, Advanced Placement Program Exams, PSAT/NMSQT, and PSAT 10) based on disability. Follow instructions given at accommodations.collegeboard.org/instructions/student-eligibility-form. All requests must be accompanied by documentation. Don't staple anything to this form. Mail or fax the completed form to College Board (Fax: 866-360-0114).

<table>
<thead>
<tr>
<th>1. NAME (REQUIRED)</th>
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<tbody>
<tr>
<td>Enter your legal name, including hyphens, apostrophes, and spaces. If any. Omit suffixes such as Jr. or III</td>
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<tr>
<td>LAST NAME (Family Name) - first 15 letters</td>
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<tr>
<td>FIRST NAME - first 12 letters</td>
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<th>2. DATE OF BIRTH (REQUIRED)</th>
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<tr>
<td>Month Day Year</td>
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<th>3. GENDER (REQUIRED)</th>
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<tr>
<td>Female</td>
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<tr>
<td>Male</td>
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<td>Another (Not listed)</td>
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<th>4. MAILING ADDRESS (REQUIRED)</th>
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<tr>
<td>Line 1 (Street address or P.O. Box)</td>
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<tr>
<td>Line 2 (Apartment number if applicable)</td>
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<tr>
<td>City</td>
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<tr>
<td>State Zip Code</td>
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<td>Home Telephone</td>
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<th>5. POSTAL CODE (Outside U.S. only)</th>
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<th>6. COUNTRY CODE</th>
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<tr>
<td>(Specify U.S. state, and Postal Code only)</td>
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<tr>
<th>7. SCHOOL YOU ATTEND</th>
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<tbody>
<tr>
<td>School Name:</td>
</tr>
<tr>
<td>Street Address: (Not P.O. Box)</td>
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<tr>
<td>City:</td>
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<tr>
<td>State:</td>
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<tr>
<th>8. COLLEGE BOARD HIGH SCHOOL CODE</th>
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<tr>
<td>Find your school code online at collegeboard.org/hscodes or call your school counselor. Enter this code to ensure your request is processed and reached.</td>
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<tr>
<th>9. EXPECTED HIGH SCHOOL GRADUATION DATE</th>
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<tbody>
<tr>
<td>Month Year</td>
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<tr>
<th>10. DATE OF NEXT INTENDED COLLEGE BOARD TEST</th>
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<tbody>
<tr>
<td>PSAT/NMSQT or PSAT 10</td>
</tr>
<tr>
<td>AP</td>
</tr>
<tr>
<td>SAT or SAT Subject</td>
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</tbody>
</table>

Student's Signature: |
Parent/Guardian's Signature (Required if student is under 18): |
Parent/Guardian's Name: |

**11. STUDENT AGREEMENT** I have read College Board's General Instructions for Filling Out the Student Eligibility Form at accommodations.collegeboard.org/instructions/student-eligibility-form and understand that accommodations on College Board tests based on disability by obtaining the information and signature on this form by an official of this school identified in section 9. I authorize the school to release to College Board copies of my records that document the existence of my disability and need for testing accommodations. I understand that College Board reserves the right to verify the accuracy of the information on College Board forms and to deny any requests for accommodations that are not supported by reliable documentation provided by College Board. Failure to provide correct or accurate information may result in denial of accommodations for reasons including but not limited to the following: |

<table>
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<tr>
<th>12. REQUESTED ACCOMMODATIONS</th>
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</thead>
<tbody>
<tr>
<td>Include any accommodations being requested for College Board tests. Do's not include accommodations that aren't needed for College Board tests.</td>
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</table>

1. **Extended Time**
   - Indicates the amount of extended time requested for each section or area.
   - Reading
   - Written language expression
   - Mathematical calculations
   - Oral language expression
   - Listening
   - Speaking

2. **Reading/Seating Test Assistance**
   - If a requested statement is not described, complete field C. "Other Assistance": |
   - Large print test book (1 point)
   - Braille test book (1 point)
   - Magnifying machine (electronic or non-electronic)
   - Human Reader
   - Pre-recorded audio (MP3 audio)
   - Assistive Technology Compatible test form
   - Raised line drawings (Braille and graphics can be viewed with Reader or MP3 Audio)

3. **Recording Answers**
   - (Only choose one computer and a workstation)
   - Computer-based and/or (field A) "Type selected test answer check cannot be used" |
   - (Not selected test answer check cannot be used)
   - (Not selected test answer check cannot be used)
   - Writer's note to record dictated responses |

4. **Other Assistance**
   - Small group testing
   - Written copy of oral instructions
   - Permission to test blood sugar
   - Other (Specify): |

* Accommodation requires school-based testing for SAT tests. Weekend test centers do not offer these accommodations.
13 USE OF ACCOMMODATIONS REQUESTED Have ALL requested accommodations in section 12 been provided and used on school tests and included on the current IEP, 504 Plan, or Formal Written Plan/Program?

- Yes - all requested accommodations have been provided on school tests and included in school plans.
- No – some or all requested accommodations have NOT been provided on school tests or are not included in school plans. In the box below list the requested accommodations that have not been provided or used, or included in a school plan.

14 DISABILITY What is the diagnosed disability? (Note all that apply)

- Learning Disorder (e.g., Impairment in Reading, Mathematics, Written Expression, Dyslexia)
- ADHD
- Hearing
- Autism Spectrum Disorder
- Intellectual Disability
- Psychiatric
- Communication Disorder

- Visual Impairment
- Visual Field
- Visual Acuity

- Left or Right
- With correction
- Without correction

- Physical Impairment

- Other Impairment (specify)

(List diagnosed conditions that don’t fall under the other categories.)

15 DOCUMENTATION

1. Formal Education Plan/Program
   a. Indicate the current school generated formal education plan/program that is approved. (To be current, the plan/program must be valid for the current school year)

   - Current IEP
   - Current 504 Plan
   - Current Formal Written Plan/Program

   b. What is the date the IEP was approved?

   - Month
   - Year

2. Evaluation Testing
   a. Additional assistance and references are provided in the "Instructions for Completing the Student Eligibility Form," or online at collegeboard.org/sed.

   - Examiner's name and title
   - Area of certification/license
   - Date of evaluation

   b. If applicable, indicate the most recent standardized tests used to document the existence of the disability and the need for accommodation.

   - Cognitive Ability Test (Test Name:)
   - Academic Achievement Test (Test Name:)

16 CONFIRMING INFORMATION AND SIGNATURE

PARENTS/STUDENTS: Ask the school to complete this section if you're submitting with their help.

SCHOOLS: If the school is submitting or assisting with this form, this section must be completed by your school's SSD coordinator or official school representative.

I verify that unless otherwise indicated in my responses above: (1) the accommodations requested above are provided and used on school-based tests; (2) the school has documentation on file that meets College Board's Guidelines for Documentation; and (3) all information provided above is true and accurate.

Name: (Please print)

Phone:

Fax:

Email:

Signature:

Date:

High School Code:

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Part III: Accommodations Provided and Used by the Student

Have all newly requested accommodations been provided and used by the student on school-based tests for the last four school months?

☐ Yes

☐ No

School Certification
I verify that the information on this request is accurate.

SSD Coordinator Name__________________________________________

SSD Coordinator Signature_____________________________________

Date Signed_________________ Fax Number (______)_______-

Email Address_________________________________________________

Parent/Student Concurrence
I authorize the school to release to the College Board copies of my records that document the existence of my disability and need for testing accommodations; to release any other information in the school’s custody that the College Board requests for the purpose of determining my eligibility for testing accommodations on College Board tests; and to discuss my disability and accommodation needs with the College Board. I also grant College Board permission to receive and review my records. I agree to the conditions set forth in the College Board’s Instructions for completing the Eligibility Form and in the student bulletins for the SAT, AP, and PSAT/NMSQT Programs. I attest that all information I have provided on this form is true and accurate.

Student Name and Signature_____________________________________

Parent Name and Signature (students under 18)_____________________

Date Signed___________ Email Address_____________________________

PLEASE SEND COMPLETED FORM AND APPLICABLE DOCUMENTATION TO:

College Board SSD
P.O. Box 7504
London, KY
40742-7504
OR VIA FAX 666.360.0114. INQUIRY HOTLINE: 212-713-8333; OR EMAIL ssdINFO.EDUCATION BOARD.ORG
Support for Students with Temporary Physical/Medical Conditions

PART 1: To Be Completed by School Official

Student Name: __________________________ Date of Birth: ____________

Expected Date of Graduation (month/year): _____________ School Code: _____________

If you don’t know your school’s code, look it up at http://sat.collegeboard.org/register/sat-code-search.

School Name: ________________________________________________

City: __________________ State: ____________________________

Specify the tests(s) and date(s) for which the student needs support (for SAT Subject Tests and AP Exams, indicate subject as well):

Exam Name: ______________ Exam Date: __________ Exam Subject: ______________

Exam Name: ______________ Exam Date: __________ Exam Subject: ______________

Exam Name: ______________ Exam Date: __________ Exam Subject: ______________

Exam Name: ______________ Exam Date: __________ Exam Subject: ______________

Describe the specific support requested:

________________________________________________________________________

Describe the injury/medical condition, including date of onset:

________________________________________________________________________

Name of school official completing form: __________________________ Title: ____________

Telephone: __________ Fax: __________ Email: __________

What is the best way to contact you?  ○ Telephone  ○ Fax  ○ Email

Signature of School Official: __________________________ Date: ____________

PART 2: Student and Parent/Guardian Signatures

Agreement below must be signed by the student and, if the student is under 18, the student’s parent/guardian before the request can be processed.

I wish to request support on College Board test(s) for a temporary physical/medical condition. I give the College Board permission to receive and review my records and to discuss my physical/medical condition and needs with school personnel and other professionals.

Student Signature: __________________________ Date: ____________

Parent/Guardian Signature: __________________________ Date: ____________
Transporting Students with Disabilities Procedure

2022-2023
(Updated February 2023)
Why review State and Federal Regulations?

- “The school district shall provide training to all school district staff, including general and special educators, administration and paraprofessionals on the requirements of special education”. MA DESE 603 CMR 28.03(1)(a)

- Transportation is a related service that includes:
  - ✔ Travel to and from school and between schools
  - ✔ Travel in and around school buildings
  - ✔ Specialized equipment such as adapted buses, lifts and ramps
    IDEA 34 CFR §300.34(c)(16)

Federal Laws

- Americans with Disabilities Act (ADA) Section 504 of the Rehabilitation Act
  - ✔ Civil rights laws that “level the playing field” for people with disabilities
  - ✔ Allow access to public buildings, including schools (ADA)
  - ✔ Allow access to a free and appropriate public education (504)
  - ✔ Protection under these laws begin once a person has a documented disability and can span through their lifetime

Individuals with Disabilities Education Act (IDEA)

- An entitlement law that provides support and services to eligible school age children, between the ages 3 and 22, in the Least Restrictive Environment (LRE). These supports and services are beyond what their non-disabled peers receive.

Disability means one or more of the following impairments

- Autism
- Communication Impairments
- Developmental Delay (3-9)
- Emotional Impairment
- Sensory Impairment (Hearing, Vision, Deaf, Blind)
- Intellectual Impairment
- Physical Impairment
- Health Impairment
- Neurological Impairment

IEP Team

- Meets annually to discuss the student’s progress and continued needs
- The Team consists of:
✓ Parent
✓ Student (age 14+)
✓ Special Educator
✓ General Educator
✓ Related Service Provider
● Responsible for determining:
  ✔ If transportation is required to assist a child with a disability to benefit from special education and related services
  ✔ How will the transportation services be implemented?

Transportation as a Related Service

● Specialized equipment allows our students to attend school and extracurricular activities
● Allows IEP Teams to work on travel training (transitioning from a van to a regular bus)
● The Team may include transportation in a formal Behavioral Intervention Plan (BIP)

Autism – Social Impairment

**Challenges Associated with ASD:**

- Difficulty with contact with others
- Difficulty understanding how others feel
- Difficulty with understanding social situations

**What this may look like on the bus…**

- Dislikes physical contact or physical closeness
- Passes time on bus in inappropriate ways (singing loudly, repeating movie lines, picks at skin)
- Processes noise and visual stimuli very differently
- Reduced need to follow directions to please driver or that own behavior is socially awkward
- Misunderstands "messages" behind words (sarcasm, idioms, etc.) and behaviors (body language)
- Reacts to others atypically (may not recognize threats, jokes and others’ frustration levels).

Autism – Communication Impairment

**Challenges Associated with ASD:**

- Difficulty expressing needs
- Difficulty processing two or more senses at a time
- Difficulty attending to verbal communication

**What this may look like on the bus…**

- Asks for help inappropriately or not at all
- Expresses fear/worry inappropriately
- Responds unusually either verbally or physically when asked a question
- Misunderstands rules of bus, changes in routine or schedule and requests
Autism – Behavior Impairment

Challenges Associated with ASD

What this may look like on the bus…

Difficulty with flexible thinking (no gray)
Reacts severely when bus is late or it’s a new driver

Difficulty with sensory processing
Demands the same seat every day

Difficulty attending to verbal communication
Completes same verbal or physical behavior pattern repeatedly

What this may look like on the bus…

Needs a transition or comforting item throughout ride

Bothered by noise, lights, smell or feel of seat (with or without restraint system)

Speaks about things that make no sense given context

Process language slowly and therefore may be delayed in verbal response

Autism – In General

Confused
Scared
Frustrated
Out of Control
Sad
Alone
Angry
Grouchy
Possible Embarrassed

Tantrums
Refusals to comply with requests or safety rules
Aggression
Self-soothing strategies (rocking, talking to self, thumb sucking)
Arguments
Very silly behavior
Self-injurious behavior
“Shut down”

What can you do to help?

- Use humor and respectful language
- Keep things as organized and planned as possible. Remain calm in general. Do not yell. Whispering actually works better.
- Visuals: social stories, transition schedules, task completion cards using geographic locations along the route, bus rules.
- Limit language overall and use only 1-2 steps at a time when giving directions
- Use “first-then” language
- Catch them being good and use positive language (e.g. “I like how you X” vs. “no”)
- Do not use a question format or give multiple choices. This only adds to confusion.
- Giving choices is good but limited to two options. Allow student time to respond.
- Do not give multiple instructions at a time
Do not engage in arguing and when possible give an explanation even if you say “because it is the law.”

Talk to the school staff. There may be a way to work with staff and parents to provide motivating activities and behavior systems with rewards for successful bus rides.

Additional Strategies

- Allow student to use fiddle and stress relieving toys (transition objects)
- Seat student away from other “challenging” students
- Allow headset to muffle noise and listen to favorite music
- Allow student to watch favorite shows or read books
- Allow student to get on bus or off bus before other students
- Use colored tape to indicate physical space limitation
- Allow student to use a weighted blanket
- Prepare students in advance for changes (known absences, route change due to construction, etc.)
- It is okay to ask the school for help

Communication Impairment and Development Delay

**Speech and Language Impairments**

The capacity to use expressive and/or receptive language is significantly limited, impaired or delayed and is exhibited by difficulties in one or more of the following areas:

- Articulation
- Fluency
- Voice
- Language

**Development Delay**

The learning capacity of a young child (ages 3-9) is significantly limited, impaired or delayed and there are difficulties in one or more of the following areas:

- Receptive and/or expressive language
- Cognitive abilities
- Physical functioning
- Social
- Emotional or adaptive functioning and/or self-help skills

**Behaviors Associated with Communication Impairment**

- May be unable to follow the driver’s directions or communicate effectively
- May become frustrated if they can’t be understood
- May misuse words when responding to you
- May not speak at all in response to general conversation, directions or safety instructions
- May not be able to get in or out of the van efficiently and may require help
- May not be able to have a conversation not because they do not want to but because they cannot process what you are saying and/or know how to respond

**What can you do to help?**
• Be patient and use alternative approaches to communicate. Learn the student’s unique communication skills and try to communicate with them through non-verbal cues (smiles, waves, simple sentences).
• Learn the student’s unique speech patterns to “decipher” what is being said or learn non-verbal cues and messages that the student uses to communicate. Speak to the student clearly, slowly and in a friendly voice.
• Practice using the student’s unique communication skills for non-verbal communication such as hand signs, written messages and pictures.

Emotional Impairment

• Mental health concerns that impact a child’s educational performance
• An inability to learn that cannot be explained by intellectual, sensory or health factors
• An inability to build or maintain satisfactory relationships
• Inappropriate feelings or behaviors under normal circumstances
• A pervasive mood of unhappiness or depression
• Develops physical symptoms or fears associated with personal or school problems

Behaviors Associated with Emotional Impairment

• May become overly active on the van or bus
• May engage in high risk or impulsive acts
• May be aggressive towards others
• May try to hurt himself/herself. Self-injury includes things like biting, banging head, hitting himself/herself
• Can become socially withdrawn
• May express excessive fears or anxieties
• May engage in age-appropriate tantrums
• May fail to remain seated or buckles in
• May tease or verbally harass other students or adults on the van
• May hit, right or strike out against others
• May try to exit the van inappropriately or at inappropriate times
• May use foul language
• May yell or scream at others

What can you do to help?

• Establish and follow a structured daily routine. This is crucial!
• Communicate reasonable safety expectations. Too many rules cannot be followed. Written rules with pictures, if needed, may help.
• Communicate and enforce reasonable consequences for unsafe behaviors. Many schools will help with this by providing points, tokens, etc., once they get to school in the morning and parents can provide points, rewards, etc., when they get home after the afternoon run.
• Focus on preventing or defusing situations
• Recognize and praise safe student behaviors
• Maintain a professional and polite tone of voice at all times
• Work with the district and your superiors to develop other solutions!
### Sensory Impairments

#### Deaf or Hard of Hearing
- A permanent or fluctuating hearing condition
- It impairs the child’s ability to process spoken information and respond appropriately
- Impacts student’s ability to process spoken language through hearing with or without amplification devices (e.g. hearing aids, cochlear implants)

#### Visual Impairments
- An impairment in vision that can be mild, moderate or severe— including blindness
- May impact the student from detecting light, shapes, colors or seeing things up close, at a distance or peripherally (from the side)

### Behaviors Associated with Sensory Impairment
- May or may not respond to greetings, questions, safety instructions, praise or directions
- May appear to be ignoring what you are saying, but they are most likely not hearing you
- May appear to be not listening because they heard what you said previously but did not hear a change in what was said
- May get upset with changes in daily routines
- May become frustrated with the inability to communicate with you
- The student most likely possesses a heightened sensory awareness

### What can you do to help?

#### Deaf and hard of hearing
- Use a consistent method of communication such as pen and paper, basic sign language, lip reading
- Patiently and politely repeat missed directions, instructions, etc.
- Speak clearly with appropriate tone, pace and volume
- Reduce and avoid excessive background noises as much as possible when speaking to the student
- If the student can lip read, facing them when speaking is crucial. This would require you to pull over when driving, for safety purposes and to communicate important information only.
- Written safety instructions and other visual reminders may help

#### Visual Impairments
- Maintain a safe, predictable routine and environment
- Monitor van temperatures, odors, van speed, etc.
- Prepare students for changes such as a change in the route, a new student etc.
- May require a high level of support when boarding the van, getting into a seat and buckling in
- May require consistent verbal communication as they cannot see or see well
Learning Disabilities

- A disorder in one or more of the basic psychological processes involving using or understanding language. Can impair a student’s ability to think, speak, listen, read, spell or perform mathematical calculations?
- Includes things like dyslexia (reading disability), dyscalculia (math disability), and dysgraphia (writing disability)
- Adversely impacts a student’s educational performance

Behaviors Associated with Learning Disabilities

- A learning disability is not obviously seen. The student may look and act like any other student
- May have difficulties following directions
- May have difficulties reading rules, directions, etc.
- May have difficulties understanding or processing language – what you say may be hard for them to understand
- May act out in an effort to hide their difficulty

What can you do to help?

- Provide directions in a variety of ways – in writing, with pictures and verbally. Provide directions one-step at a time.
- Ask students to repeat directions so you can see if they understood
- Be patient and keep your tone of voice even
- Give positive reinforcement when the student follows your direction
- Praise goes a long way!

Intellectual Impairment

- The permanent capacity of performing cognitive tasks, functions or problem solving is significantly limited or impaired and it is exhibited by one or more of the following: a slower rate of learning, disorganized patterns of learning, difficulty with adaptive behaviors and/or difficulties understanding abstract concepts.
- Significant delays in physical motor skills, daily living skills, communication skills and/or socialization skills
- Adversely impacts the student’s educational performance

Behaviors Associated with Intellectual Impairment

- May have inappropriate physical contact with others (e.g. slapping, poking)
- May engage in inappropriate verbal contact with others (e.g. name calling, teasing, repetitive chants)
- May try to move around the van when it is moving
- May show inappropriate displays of physical affection for their age (e.g. hugging)

What can you do to help?

- May require high level of assistance when boarding the van, buckling in and taking a seat
- May require extra time to board the van so plan accordingly
- May not understand verbal directions or instructions so pictures can serve as a good reminder
- May benefit from a consistent seating arrangement and consistent routine

Multiple and Physical Disabilities
Multiple Disabilities

- A student presents with simultaneous impairments that are significant and severe and cannot typically be accommodated for in programs designed to accommodate just one area.
- May include severe to profound cognitive impairments or intellectual disabilities
- May require ongoing and extensive support in areas of daily living to include things such as dressing, walking, speaking, eating, toileting, etc.

Physical Impairments

- The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired or delayed and is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent movement; performing basic life functions.
- This includes severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations and fractures, if the impairment adversely impacts a student's educational performance.

Behaviors Associated with Multiple and Physical Disabilities

- May have limited verbal communication skills, which can make the student frustrated
- May demonstrate inappropriate interaction attempts (touching, yelling)
- May have trouble with mobility and use a walker, wheelchair, require other assistance walking
- Some students with medical conditions require special support (nurse on van)
- May forget or not know how to do certain tasks if they do not perform them daily or regularly
- Other medical conditions may be present such as loss of muscle control, seizures and sensory issues (e.g. blind, deaf)

What can you do to help?

- Plan carefully and prepare for any special plan you must follow (e.g. seizure plan)
- May benefit from a consistent seating arrangement and consistent routine. If the student can assist with getting in and out of the van, this will be important.
- Inquire about the student’s preferred method of communication and try to use it in greetings and “small talk” (e.g. eye contact, body language, a pat on the arm, etc.)
- Allow for extra time to load and unload the van so no one is rushed
- Understand student’s medical conditions
- Ask for support from the district or your superior as needed

Health Impairment

- A chronic or acute health problem where the capacity to function is significantly limited or impaired and can result in one or more of the following: Limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, which results in limited alertness in the educational environment.
- Includes health impairments due to asthma, attention deficit disorder with or without hyperactivity, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever or sickle cell anemia if such a condition impacts educational performance.

Behaviors Associated with Health Impairments

- May exhibit the inability to sit still or stay in a seat
● May blurt out inappropriate verbal statements
● May exhibit low blood sugar
● May fall asleep in the van and need to be woken up upon arrival
● May require support getting in and out of the van

What can you do to help?

● Allow students to bring small objects from home to use on the van that are of high interest to them
● Alert staff and parents of any concerns you have regarding changes noted in behavior
● Collect data regarding behaviors, if needed.

Neurological Impairment

● The capacity of the nervous system is limited or impaired
● Difficulties can be exhibited in one or more of the following areas: use of memory, control and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, social skills or basic life functions.
● Includes students who have received a traumatic brain injury

Behaviors Associated with Neurological Impairment

● May exhibit the inability to sit still or stay in a seat
● May blurt out appropriate verbal statements
● May become easily frustrated
● May have difficulty recalling what was said
● May have difficulty following directions or instructions
● May have difficulty communicating thoughts in an organized fashion

What can you do to help?

● May not understand verbal directions or instructions so pictures can serve as a good reminder
● May benefit from a consistent seating arrangement and consistent routine
● Patiently and politely repeat missed directions, instructions, etc.
● Speak clearly with appropriate tone, pace and volume
● Reduce and avoid excessive background noises, as much as possible when speaking to the student
● The student may benefit from an opportunity to bring an object from home to keep occupied on the van

Transportation Providers Role

● Transportation plays an integral role in the school lives of children with disabilities, as well as all children. What can you do to support their needs?
  ✔ Work collaboratively with special educators and other related service providers, especially when transition or behavior support plans are implemented.
  ✔ Have a general understanding of disability areas and be informed about specific needs of the students being transported.
  ✔ Maintain confidentiality with student information.
The following general guidelines designed to assist those with mobility impairments during a building evacuation.

**Building Evacuation**

✔ Check the intended evacuation route for obstacles, if possible. Smoke, debris, flooding, loss of electricity or other impediments may be present.

✔ If Unsafe to Evacuate Person With Mobility Difficulty, please move them to an area of refuge:
  - Stairwells with Evacuation Chairs
    - C Wing, 2nd Floor end of Hallway
    - B Wing, 2nd Floor end of Hallway
    - A Wing, 2nd Floor middle Stairwell
  - Enclosed stairwell
  - Adjoining building behind fire doors
  - An office with a closed door, located a safe distance from the hazard
  - Exit balconies and corridors

✔ If the building alarm sounds or an evacuation is ordered and you are unable to evacuate without assistance and are unaware of the area to wait for assistance, immediately contact Ext 1970 and the teacher will notify an Administrator.

✔ Do NOT attempt to use the elevator unless specifically authorized to do so by fire or police.

✔ Proceed to the nearest pre-designated stairwell containing a landing large enough to accommodate safely. First responders are alerted as to your location.

✔ If not in a stairwell, do not leave the designated safe location unless forced to by a hazardous situation (such as fire in your immediate area). Keep doors closed, and place an article of clothing across the bottom of the door to keep smoke out. Move towards windows, do NOT break windows or open unless the room fills with smoke. Breaking windows prematurely may draw more smoke into the room.

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**Deaf or Hard of Hearing Impairment**

✔ Alternate warning system other than Alarm Sounding
  - Light switch on and off
  - Visual instructions

**Low Vision or Blindness**

✔ Tell the person nature of emergency and offer your arm for guidance

✔ Give verbal instructions

✔ Advise where you are and where obstacles are located

✔ When you reach safety, orient the person to their surroundings

**Crutches, Canes, Walkers or Wheelchairs**

- Evacuation chairs located at top of stairwells Authorized/trained personnel use evacuation chairs on those with mobility impairment

Updated January 2022
Disciplining Students with Disabilities:

A Step-by-Step Guide

2022-2023

(Updated February 2023)

A Question & Answer Guide to Protect Student Rights while Providing Safe, Secure Environments
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1. **What is the Intent of the Massachusetts Regulations on Educational Services in the Home or Hospital?**

The Massachusetts regulation requiring educational services in the home or hospital is 603 CMR 28.03(3)(c). It reads as follows:

> Upon receipt of a physician’s written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Administrator for Special Education for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student’s IEP.

The intent of this regulation on home or hospital instruction is to provide a student receiving a publicly funded education with the opportunity to make educational progress even when a physician determines that the student is physically unable to attend school. While it is impossible to replicate the total school experience through the provision of home/hospital instruction, a school district must provide, at a minimum, the instruction necessary to enable the student to keep up in his/her courses of study and minimize the educational loss that might occur during the period the student is confined at home or in a hospital.

Although the regulation on home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. In other words, home/hospital instruction typically is considered a regular education service, since it is in the interest of both the individual student and the school to make it possible for the student to keep up with schoolwork while s/he is unable to attend school for medical reasons.

The Special Education Regulations also include a provision relating specifically to students who are likely to be confined to home or hospital for medical reasons for more than 60 school days in any school year. Please see regulation 603 CMR 28.04(4), discussed in 603 CMR 28.04(4) Question #1, below.

Please note that the requirements and guidance discussed in this Question and Answer Guide are separate and distinct from those relating to the approval of parent requests for "home education" or home schooling programs, which are governed by General Laws Chapter 76, § 1. The Department of Elementary and Secondary Education’s *Home Education Advisory* provides guidance on the Massachusetts law governing homeschooling programs.
2. Who is Entitled to Educational Services in the Home or Hospital?

**Public school students.** A public school student who, due to documented medical reasons, is confined to home or a hospital for not less than fourteen (14) school days during the school year, is entitled to receive home/hospital educational services as described under 603 CMR 28.03(3)(c). In this context "public school student" means a student who is enrolled in a public school district or a charter school, or a student who is being educated with public funds in an educational collaborative or an approved private day or residential special education school. (Please see Question #7, below, for more detail about students in approved private day and residential special education schools.) The requirement for a school district to provide home/hospital instruction to a public school student who is being educated at public expense is not dependent upon the student’s eligibility for special education.

**Private school students.** A student who is enrolled in a private school at private expense ("private school student") is entitled to receive publicly-funded home/hospital instruction as a special education service if s/he has been found to be a student with a disability who requires special education. Mass. General Laws Chapter 71B, § 1 defines "school age child with a disability" as follows:

_a school age child in a public or non-public school setting who, because of a disability consisting of a developmental delay or any intellectual, sensory, neurological, emotional, communication, physical, specific learning or health impairment or combination thereof, is unable to progress effectively in regular education and requires special education services, including a school age child who requires only a related service or related services if said service or services are required to ensure access of the child with a disability to the general education curriculum. G.L. Chapter 71B, § 1 (emphasis added)._}

A private school student who has been evaluated and has been found eligible for special education is entitled to receive home/hospital educational services as outlined in Question #8, below. For both public school students and private school students, the justification for any needed home or hospital instruction must be documented by a student’s personal physician. A school district that receives a request for home instruction from someone other than a physician, or from a physician who is not personally responsible for a student’s care, is not obligated to provide instruction under 603 CMR 28.03(3)(c). In this case, the responsible school district should inquire further with the student’s parent or guardian to determine the student’s status and any additional information or action that is needed. For example, the school district may need to proceed under the compulsory attendance law if it determines that a student between ages 6 and 16 is not attending school, is not being otherwise educated in a manner approved by the school district, and is not medically unable to attend school.

**Determining eligibility.** As required under M.G.L. c. 71B, § 2, if a parent of a private school student requests an evaluation to determine the student’s eligibility for special education and presents the school district with a physician’s statement, then the school district must immediately review the physician’s statement to determine if there is sufficient information available to consider if the student has a "health impairment" according to the definition provided under 603 CMR 28.02(7)(i). If there is sufficient information in the physician's statement, then the school district should convene the Team within 15 days to make an expedited determination of eligibility and begin provision of services. Please refer to Administrative Advisory SPED 2003-1 for additional information about these requirements.
3. How Can Home or Hospital Education Services Be Accessed?

Once the student’s personal physician (for example, a pediatrician, internist, medical specialist, psychiatrist or nurse practitioner) determines that a student’s medical condition will require either hospitalization or home care for not less than 14 school days, the physician must notify the school district responsible for the student in order to begin the home/hospital instruction process. The student’s physician must complete a Department of Elementary and Secondary Education form 28R/3 (or equivalent signed statement) and submit it to the student’s building principal or other appropriate program administrator. At a minimum the physician’s signed notice must include information regarding:

- the date the student was admitted to a hospital or was confined to home;
- the medical reason(s) for the confinement;
- the expected duration of the confinement; and
- what medical needs of the student should be considered in planning the home or hospital education services.

Students with chronic illnesses who have recurring home/hospital stays of less than 14 consecutive school days, when such recurrences have added up to or are expected to add up to more than 14 school days in a school year, are also eligible for home or hospital educational services if they are requested and the medical need is documented by the physician.

Home and hospital educational services under 603 CMR 28.03(3)(c) must begin without undue delay after the school district receives written notice from the student’s physician that such services are necessary. Please note that there is no required 14-day waiting period before home or hospital instruction can commence if it is likely that the student will be absent from the school-based program for 14 school days or more in the school year.

Whenever a student is likely to miss 14 school days or more for health-related reasons, the Department strongly recommends that the school district expedite the delivery of educational services as well as any evaluation or Team meetings that may be necessary, in order to minimize the negative impact on the student’s educational progress. (See also Question #9, below.)

4. How Should Home or Hospital Services Be Delivered?

School districts may provide home/hospital services in a number of ways, including:

- providing the services directly to the student using district employees;
- contracting with the hospital to provide the needed services;
- contracting with another school district to provide the services;
- contracting with another agency to provide the services; or
- providing the services via live streaming and/or remote instruction.

Home/hospital instruction is typically one-to-one or small group instruction that is provided on an individualized schedule, for less than a full school day or a full school week. The school district should determine the number of instructional hours per day or per week based on the educational and medical needs of the individual student. School districts may not preset the number of instructional hours per week provided to students who must remain at home or in the hospital; the decision must be
individualized. Based on the student’s medical status, the student’s physician may determine that the number of instructional hours should be reduced. In addition, the amount of instructional time deemed necessary by a district may be guided by the instructional approach used in a one-to-one home or hospital setting as compared to the instructional approach normally implemented in the student’s school-based program. However, such a reduction in instructional time must be based on the educational benefit received by the student given the reduced teacher–student ratio. Service delivery, including the time of day the services are to be delivered, should be determined in the best interests of the student and in consideration of the medical circumstances of the student.

When planning and delivering home or hospital educational services, the school district should carefully consider all aspects of a student’s educational program while attending school, including any current IEP services, Section 504 plans and instructional accommodations, as well as the student’s general education services.

5. **Is the Academic Content of Instruction and the Certification of Staff Any Different for Home or Hospital Instruction Than for School–Based Instruction?**

Instruction that is provided in the home or hospital for public school students under 603 CMR 28.03(3)(c) must include the same academic content as that provided in the student’s regular school-based program. While teacher certification requirements apply to the teachers who are providing the instruction, the teachers do not have to be certified in all subject areas. However, in all cases the school district must be able to demonstrate that the assigned staff member effectively provides the necessary instruction to the student. Teachers who provide home/hospital instruction to public school students must coordinate the instructional content, approach and student progress with the student’s teachers at school.

For both public school students and private school students, special education and/or related services that are provided in a home or hospital setting under this provision must be delivered (or closely supervised) by staff certified or appropriately licensed to deliver such services.

6. **May A School District Require That a Parent or Other Responsible Adult be in the Home While the District’s Instructor is Working with the Student?**

If a district requires that an adult is present during homebound instruction, the district should take reasonable steps to ensure that this policy does not conflict with its obligation to provide instruction. A district could likely avert a potential conflict by arranging for instruction at a time (such as late afternoon or evening) when an adult would be at home with the student. If a district were unable to send an instructor at a time when an adult was at home, it would be permissible for the district to send a staff member to accompany the instructor. If a district is unable to arrange for instruction during hours when an adult will be at home or to send a staff member to accompany the instructor, the district should propose a reasonable alternative to the student’s parent that would ensure that the student receives instruction while satisfying the district’s legitimate concerns about safety and liability.

7. **Under what Circumstances Are Educational Collaboratives and Public and Private Day and Residential Special Education Schools Approved Under 603 CMR 28.09 Required to Provide Home or Hospital Instruction?**
If the school district continues to pay the costs of the placement in order to hold the enrollment status of the student in a educational collaborative program or a public or private special education school during the student’s confinement to home or a hospital, the respective collaborative or public or private school must provide at no additional cost to the school district appropriate educational and special educational services. These services must be provided consistent with requirements of 603 CMR 28.03(3)(c) regarding educational services in a home or hospital, subject only to the limitations outlined in Question #4, above.

If the student is not expected to remain in the placement after the student’s confinement to home or hospital, the school district must ensure in another way that the student receives appropriate educational and special educational services or, if appropriate, reconvene the Team consistent with 603 CMR 28.04(4) and consider evaluation needs and/or revisions to the IEP taking into account the services the student needs while s/he is unable to attend school for medical reasons.

8. How Do These Requirements Apply to a Student Who is Enrolled in Private School at Private Expense and Needs Home/Hospital Instruction for Medical Reasons?

As is stated above in answer to Question #1, although the regulation requiring home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00), home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. State law (G.L. Chapter 71B) requires school districts to provide special education to eligible students who are attending private school at the parent’s expense or other private expense (“private school students”). Since home/hospital instruction can be a regular education or special education service, this has led to some confusion about the appropriate provision of home/hospital instruction for private school students.

- If the private school student already has an IEP under which the school district is providing special education services, then during the 14+ school days that the physician says the student will be out of school for medical reasons, the school district must provide the specially designed instruction and/or related services described on the student’s current IEP, modified as necessary to accommodate the student’s medical needs. If the student’s medical condition is likely to affect the ability of the student to maintain effective school progress, the student’s parent may request that the Administrator of Special Education convene a Team meeting to consider further evaluation of the student and, if appropriate, to amend the existing IEP or develop a new IEP. Modifications to the IEP can include home or hospital instruction. The Administrator of Special Education is required to convene a Team meeting without undue delay for any student with an IEP who, in the judgment of the student’s physician, is likely to remain at home or in a hospital for more than 60 school days in any school year. This requirement is found in the Special Education Regulations at 603 CMR 28.04(4) and is discussed in 603 CMR 28.04(4) Question #1.

- If the private school student does not have an IEP and will be confined to home or a hospital for medical reasons, s/he may be eligible for special education services if the student’s medical condition is determined to be a health impairment that adversely affects the student’s educational performance. Under these circumstances, the parent is entitled, at any time, to request and receive an evaluation of the student by the public school district to determine if the student’s medical condition meets special education eligibility requirements. If a physician indicates to a school district that the student has a medical or health
condition that is likely to lead to extended school absence(s) or an inability to maintain effective educational progress, the school district shall treat such information as a referral for an evaluation to determine eligibility for special education. In such a case, the school district shall, within five school days, send written notice to the student’s parent seeking consent for such evaluation to occur (603 CMR 28.04(1)(a)). A Team may find a student eligible for special education based on a chronic or acute health impairment or other disability, as defined in 603 CMR 28.02(7), that adversely affects the student’s educational performance. Please see Question #9, below.

Under Massachusetts law, a private school student who has been determined to be a “school age child with a disability” as defined in G.L. Chapter 71B, § 1, is entitled to receive publicly-funded special education services in accordance with an IEP developed by the school district of residence. The school district may not refuse to evaluate the student because s/he is enrolled in private school or because s/he is currently out of school for medical reasons. The Department recommends that the Administrator of Special Education make every effort to expedite assessment(s) and the Team meeting so that services may be provided in a timely fashion. If the student is evaluated and determined to be a student who is eligible for special education, the student will be entitled to receive home/hospital instruction according to the IEP.

- If the private school student does not have an IEP and the parent does not wish to refer the student for a special education evaluation, the parent may contact the school district of residence, providing documentation from the student’s physician that the student is confined to home or hospital for medical reasons for not less than 14 school days during the school year. The school district may, at its discretion, provide home/hospital instruction to the student, using the district’s resources to provide the instruction, but it is not required to do so unless the student is evaluated and found to be eligible for special education. Please see Question 2 above for additional information on determining eligibility of private school students based on a physician’s statement.

Please note that the public school district is under no obligation to be familiar with nor to use the private school’s curriculum, textbooks, or related education materials, but shall provide home or hospital services designed to maintain the private school student’s progress in general curriculum areas when such services have been included on the IEP. Consequently, if a private school student will be absent from school for medical reasons for an extended period of time, the student’s parent should always contact the private school to find out what tutoring services or other home/hospital instruction the private school will provide to help the student keep up with his or her schoolwork. The administrators and teachers in the private school are most knowledgeable about the private school’s curriculum and the coursework that the student is covering in class, and they are in the best position to design and provide tutoring or other home/hospital instruction that will enable the student to keep up with school assignments. Depending on the circumstances, the private school itself may have an obligation to provide accommodations or services to the student under federal civil rights laws, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, or under the contract of enrollment between the school and the parents.

9. Are Students with Chronic or Acute Health Issues Always Eligible for Special Education?
The answer depends on the facts of the individual case. Any student with a medical or health condition that is likely to lead to extended school absence(s) or inability to maintain effective educational progress is a reasonable candidate to be referred to the public school district for initial evaluation to determine special education eligibility. Such referrals should take place as soon as it is known that a student's health condition is chronic or acute and is likely to have a negative educational impact, rather than delaying referral or action until the student is absent for significant periods of time or has begun to experience educational failure.

If assessment information indicates that the student's educational progress will be adversely affected as a result of a chronic or acute medical condition that is not temporary in nature, then the Team will likely determine that the student is eligible for special education. An eligibility determination is an individualized decision that depends on the facts of each case. In most cases, if the Team determines the student is eligible, the type of disability as recognized by federal and state special education law will be a "health impairment" (see 603 CMR 28.02(7)(i)). In some cases, the assessments may indicate other types of disability, such as "emotional impairment" or "neurological impairment."

If the student has been evaluated and found eligible for special education, the Team will write an IEP describing the special education and related services that the student needs and the school district will provide. If the student will be out of school for medical reasons for an extended period of time, it is appropriate to include on the IEP educational tutoring as a related service that the student needs in order to access the general curriculum while s/he is in the home or hospital setting. The IEP may be tailored to address expected time periods when the student is unable to attend school, if that is deemed appropriate to meet the unique needs of the individual student.

603 CMR 28.04(4)

1. What Requirements Apply if the Student is Likely to Be Confined to Home or a Hospital for More Than 60 School Days?

If, in the judgment of the student's physician, a student with an IEP is likely to remain at home, in a hospital, or in a pediatric nursing home for medical reasons and for more than sixty (60) school days in any school year, the Administrator of Special Education is required, without undue delay, to convene a Team meeting to consider evaluation needs and, if appropriate, to amend the existing IEP or develop a new IEP suited to the student's unique circumstances. (See 603 CMR 28.04(4).) The Department recommends that the Administrator of Special Education convene the Team meeting within 10 school days after the school district is notified that the student is likely to remain at home or in the hospital for more than sixty days. This provision applies to all eligible students, including private school students who have been determined to need special education.

Additional questions or concerns about the provision of home or hospital educational services for students who are unable to attend school should be directed to the Department of Elementary and Secondary Education, Problem Resolution System Office, at (781) 338-3700.

Last Updated: August 25, 2021
● **Are Students with Disabilities Exempt from Discipline?**
No, students with disabilities are not exempt from a school's behavioral expectations or from disciplinary procedures. Disciplinary procedures for students with a disability, however, require the intersection of two distinct departments: the school's administration department and the school's special education department. The person tasked with making disciplinary decisions within the school is, also, tasked with ensuring the rights of a protected population are respected. The involvement of a student with a disability in a situation that requires consideration of consequences outlined in the Diman Student Handbook also requires the person in the Special Education Department tasked with oversight of special education regulations be notified and, if needed, be involved early in the process. This dual involvement is necessary not only to protect the student but, also, to protect the school from future claims or from the result of an appeals process. In addition, Individual Education Program Team members have special responsibilities in terms of designing and implementing necessary services for students with disabilities. It is their responsibility to clearly detail in the PLEP A and PLEP B sections of the IEP how a disability impacts a student's ability not only to access the curriculum but also to make good decisions, to understand the consequences of their behavior and to be able to independently use strategies to self-regulate aggressive, unsafe or threatening behaviors.

● **Why Are Students with Disabilities Treated Differently?**
Students with disabilities are a protected population, due to the federal and state regulations created to level the playing field in terms of what these students can and cannot do as a result of their disability(ies). It is a reasonable expectation for students to conduct themselves appropriately within a classroom setting, using civility and good social interaction skills to participate in instructional activities. For a student with Tourette's syndrome, with Autism, with Intellectual Impairment, Emotional Impairment or Other Health Impairment (ADD/ADHD) classroom settings, large unstructured environments such as the cafeteria or hallways can present behavioral challenges. These challenges can be beyond their current ability to understand, to self-regulate, or to make good decisions due to the impact of their disability. For those reasons, federal and state regulations for implementing the Individuals with Disabilities Education Act (IDEA) require information be gathered and analyzed to ensure any disciplinary actions taken do not deprive a student with disabilities of their right to a free and appropriate public education (FAPE). The Supreme Court in Honig vs. DOE decided a student with a disability could not be unilaterally removed from school for more than ten days for misconduct arising from the impact of the student's disability on his/her behavior.
• **What Are Key Terms in The Law/Regulations?**

  - **Free Appropriate Public Education (FAPE):** special education and related services provided at public expense and without charge, under public supervision and direction, provided in conformity with an IEP, and which meet all applicable state rules and standards. In relationship to disciplinary placements, services must enable the student to:
    - participate in the general curriculum, although in another setting, AND
    - progress toward meeting the goals in his/her IEP.

  As appropriate, the student must also receive a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior so it does not recur.

  - **Exclusion:** the separation of students from the rest of the class either through complete visual separation or from actual physical separation. During an exclusionary time-out:
    - The student must be continuously observed by a staff member;
    - Staff must be with the student or immediately available to the student at all times;
    - The space used for exclusionary time-out must be clean, safe,
    - sanitary, and appropriate for the purpose of calming
    - Exclusionary time-out must cease as soon as the student has calmed.

When a student is separated from the learning environment in an exclusionary time-out, s/he must be in a safe and calming environment. For any exclusionary time-out may last longer than 30 minutes, programs must seek approval from the principal for the continued use of time-out. The principal may not routinely approve such requests but must consider the individual circumstances, specifically whether the student continues to be agitated to determine whether time-out beyond 30 minutes is justified. If it appears the use of exclusionary time-out exacerbates the student's behavior, or the continuation of the exclusionary time-out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted. Exclusionary time-out is an intervention that should be reserved for use only when students are displaying behaviors, which present, or potentially present, an unsafe or overly disruptive situation in the classroom. In such circumstances, the student may either ask to leave the classroom, or the student may be directed to a separate setting for the purpose of helping the student to calm down. Unless it poses a safety risk, a staff member must be physically present with the student who is in an exclusionary time-out setting. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, to ensure the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available outside of the time-out setting where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room. For students displaying self-injurious behavior, a staff member must
be physically present in the same setting with the student.
In-School Suspension (ISS): suspension of a student from one or more regular classes while at the same time requiring the student to spend class time in a designated area at the same school or elsewhere.

- **Short-term suspension**: any term of suspension falls short of the definition of a "long-term suspension." The state rules also define a "temporary suspension" as the removal of a student from school for a specified period of ten school days or less, after a rudimentary hearing.

- **Long-term suspension**: removal of a student from school for a specified time exceeding either ten school days or any lesser period as defined by the School Committee.

- **Expulsion**: removal of a student from school either permanently or for an indefinite time exceeding ten school days or a locally established lesser period.

- **Interim Alternative Educational Setting (IAES)**: a setting determined by the IEP Team and one selected to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the student's IEP goals. As appropriate, the IAES must include a functional behavioral assessment and behavioral services and modifications designed to address the problem behavior so it does not recur.

- **Functional Behavioral Assessment (FBA)**: use of a variety of techniques and strategies to diagnose the causes of and identify interventions likely to be effective in addressing problem behaviors.

- **Behavioral Intervention Plan (BIP)**: a written plan includes positive behavioral interventions, strategies and supports to be used in addressing behavior that impedes a student's learning. If appropriate, BIPs are designed by the IEP team after an FBA has been conducted.

- **Manifestation Determination Meeting (MDM)**: an evaluation of the relationship, if any, between the student's misconduct and his or her disability. The MDM is conducted by the district, the student's parents, and relevant members of the IEP Team.
• **How Can Problematic Behavior Be Handled/Addressed?**

The IEP Team should be aware of behavioral issues, which might arise from the student’s disability, and these issues should be noted in the IEP as protection for the student should such behaviors occur. In addition, the IEP should address these issues through direct services. If a student's behavior has changed, if a student's behavior is escalating, if a student is increasingly involved in administrative or student assistant team meetings regarding concerns about behavior, then the Special Education Director should be immediately informed so the IEP Team can reconvene. During this IEP Team meeting the services in the IEP will be discussed to ensure the IEP is providing sufficient services, supports and accommodations.

Preferred methods for addressing problem behavior include FBAs and BIPs. If those interventions prove ineffective, the IEP Team should then re-evaluate and revise the BIP, incorporating more supports and services in the student's placement because it is always preferable to address problem behaviors through educational rather than disciplinary measures.

• **What About Students with 504 Plans?**

Diman may discipline a student on a 504 Plan for fewer than ten days in the same way they would discipline students without disabilities. If a student protected under Section 504 is subject to discipline (i.e. suspensions, etc.) for more than ten days, a Manifestation Determination Meeting must be held. A Manifestation Determination Meeting brings together the 504 Team to assess whether the student's behavior led to discipline is linked to their disability or a failure to implement their 504 Plan. If the student's behavior is a manifestation of their disability, the student should be allowed to return to their school placement. If the Diman 504 Team determines the behavior is not a manifestation of the student's disability, the student will be subject to the same disciplinary actions (including suspensions or expulsion) apply to students without disabilities.
• Mass. General Law (MGL) Chapter 71, Section 37H
  o Prohibits use of tobacco or idling of cars on school premises;
  o Principal can suspend or expel for possession of a dangerous weapon;
  o Principal can suspend or expel for possession of a controlled substance;
  o Principal can suspend or expel for assault on a staff member;
  o Schools must provide educational service to the student during the term of his/her suspension or expulsion.

• Mass. General Law (MGL) Chapter 71, Section 37 ½ H
  ° If a student is charged with a felony, the principal may suspend the student if the principal determines the student's continued presence could have a substantial detrimental effect on the general welfare of the school.
  ° If a student is convicted of a felony or pleads guilty to a felony, the principal may remove the student for a period of time up to expulsion (i.e., permanent exclusion) if the principal determines the student's continued presence could have a substantial detrimental effect on the general welfare of the school.

• Mass. General Law (MGL) Chapter 71, Section 37 ¾ H
  ° Covers all other violations of the Diman Student Handbook;
  ° Students can only be expelled for violations covered by 37H and 37 ½ H;
  ° Students cannot be suspended for more than 90 school days in a school year;
  ° Suspensions cannot extend past the end of the school year;
  ° School must provide educational services if student is excluded from school for more than ten days for any offense;
  ° Principal must develop a school-wide education service plan describing education services that will be available to eligible students under 37 ½ H.

• Individuals with Disabilities Education Act (IDEA)
  There are certain behaviors for which Diman can change a student's placement to an "interim alternative educational setting" for up to 45 school days. If the student carries a dangerous weapon to school or a school function, knowingly possesses, uses, sells or attempts to sell illegal drugs at school or at a school function, or has inflicted serious bodily injury upon another while at school or at a school function Diman can remove the student to an IAES- "Interim Alternative Educational Setting. The term "serious bodily injury" is defined in Section 1365(h) (3) of Title 18, U.S. Code, to mean a bodily injury involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

  Diman Regional will be considered to know a student is a student with a disability if:
  ° The parent of the student expressed concern in writing to supervisory or
administrative personnel at Diman or to a Diman teacher who works with the student, the student is in need of special education and related services;
The parent of the student has requested an evaluation of the student to determine eligibility for special education services through an IEP; or

- The teacher of the student or other Diman personnel has expressed specific concerns about a pattern of behavior demonstrated by the student directly to the Director of Special Education, to Guidance staff or to Diman administrators.
When a student is involved in a situation which violates the Diman Student Handbook Code of Conduct or in a situation described in MGL 71, section 37H, 37 ½ H, 37 ¾ H or any of the IDEA behaviors associated with removal to an Interim Alternative Educational Setting, the Diman administrator in charge of disciplinary proceedings and the Director of Special Education will ensure the following steps are completed prior to any disciplinary procedures might suspend or expel the student:

- **Step 1: Gathering Information**
  - Determine whether the student has an IEP. If he/she does not then the student may be disciplined as would any other student using 37H, 37 ¼ H or 37 ¾ H for guidance.
  - If the student has an IEP, even if this is a first disciplinary decision, inform the Director of Special Education.
  - If the student does not have an IEP but the parent has questioned the need for special education services with a teacher or administrator, or if the parent has referred the student for a special education evaluation; or if a teacher or teachers at Diman have expressed concerns over changes in behavior or in situations where the student's behavior has become a concern then the evaluation of the student for eligibility under special education due process and FAPE must be expedited;
  - Until the eligibility evaluation is completed, the student remains in the educational placement determined by the Diman administrator, which can include suspension or expulsion.

- **Step 2: Notification**
  - The same day as the incident, the Diman administrator in charge of the disciplinary process may conduct an informal administrative conference to obtain information;
  - The administrator (and the Special Education Director if the student has an IEP) will interview the student, other students, relevant staff or other witnesses to the incident;
  - Review the student's IEP or 504 Plan to see if there are provisions in or descriptions in the IEP PLEPs or accommodations and determine whether or not they were followed;
  - Following the informal meeting and information gathering, determine what, if any, disciplinary action will be taken;
  - Notify the parents of the incident and what action is being proposed;
  - The Special Education Director will interview special education staff working with the student, review the IEP, determine if the IEP was being fully implemented and determine whether to reconvene the IEP Team to discuss the incident and review the IEP as a Team.

- **Step 3: If Student Not Yet Identified as Having a Disability**
  - The Special Education Director, after discussion with staff and parents determines if the student might be a student with an unidentified disability;
  - If there is a possibility an unidentified disability exists, the Special Education Director will notify the parents;
  - The Special Education Director will refer the student for an evaluation of eligibility through the special education evaluation process;
° The Special Education Office will expedite provision of Parent Consent and Rights information to the student's parents and, once consent is received, will expedite the evaluation process.
**Step 4: If Student Has a Disability**

- If this is a first incident, a unique situation, or if the Discipline Log maintained in the Special Education Office does not indicate any prior suspensions have not resulted in nearing ten cumulative days of suspension, the Special Education Director, after consultation with the parents and the Diman administrator in charge of the disciplinary procedures may decide not to reconvene the IEP Team;

- If there are sufficient concerns regarding the incident or if the student is nearing the ten-day suspension mark, the IEP Team should reconvene. During this IEP Team meeting, the Team may review and modify the student's IEP or obtain an Functional Behavioral Assessment (FBA) to enable a Behavior Intervention Plan (BIP) to be developed in conjunction with the IEP;

- If review of the Discipline Log in the Special Education Office indicates any disciplinary action will result in the student approaching or exceeding the ten-day cumulative suspension level, the Director of Special Education will schedule a Manifestation Determination Meeting (MDM) immediately or within ten school days of the decision to remove the student. The Special Education Director will determine who will be included in the MDM Team.

- Parents will be informed of the change of placement due to the suspension and provided information regarding the MDM.

- At the MDM, the Team will determine if the student's conduct is a direct result of the district's failure to implement the IEP or does the conduct have a direct and substantial relationship to the student's disability.

- If the answer to EITHER question is YES, then the student's conduct IS a manifestation of the student's disability Diman will take immediate steps to remedy the deficiencies related to the IEP or IEP's implementation. Diman will also conduct an FBA and develop a BIP or review/modify an existing BIP as needed. The student will be returned to Diman unless the parent and Diman agree to a different placement or unless removal is for "special circumstances" under IDEA.

- If the answer to BOTH questions is NO, then the student's conduct is not a manifestation of his/her disability and Diman may apply relevant disciplinary procedures in the same manner and for the same duration as to students without disabilities. The IEP Team reconvenes to determine which FAPE services are needed to enable the student to continue to participate in the general education curriculum and progress toward meeting IEP goals. The Team may also provide an FBA and BIP.
• **Step 5: Appeals Process**
  - The Parent of Diman may file a request for a hearing at the Bureau of Special Education Appeals (BSEA).
  - Unless Parent and Diman agree on another placement while appeal is pending, the student remains in disciplinary placement.
  - The BSEA will schedule an expedited due process hearing to occur within 20 school days from the date the request was filed.
  - Unless the Parents and Diman agree to access the Mediation or Resolution Session, the Hearing Officer will make a decision within ten days of the hearing.
  - The Hearing Officer's decision may be appealed to state or federal court.
  - Sample letter
Child Violates School Discipline Code:
School Personnel May Consider Unique Circumstances on a Case-By-Case Basis

**SCHOOL PERSONNEL (PRINCIPAL) MAY REFER STUDENT TO ALTERNATIVE PLACEMENT OR SUSPENSION FOR UP TO 10 TOTAL SCHOOL DAYS WITHOUT SERVICES**

For subsequent exclusions of 10 school days or less during the school year, which do not constitute a change in placement (see definition below):

1. School must provide services to the extent necessary for progress in general curriculum and IEP goals as determined by school personnel in consultation with at least one teacher.

2. If appropriate, school must conduct functional behavioral assessment and develop behavioral plan.

**Change of Placement:** (Defined as removal for more than ten consecutive school days or for series of shorter removals with consideration of length of total time removed proximity and similarity of behavior.

On the date of a decision to make a removal constituting a change of placement, notify parents or decision and of procedural safeguards.

Within ten school days of decision resulting in a change of placement, team must conduct a manifestation determination.

*The information provided herein intends to be used for general information only and not as legal advice. In the event legal advice is required for a particular matter, the services of an attorney should be sought.*
MANIFESTATION DETERMINATION

Team must include LEA, parents and other relevant members. Team must consider all relevant information in student’s file, any teacher observations, and relevant information from parents.

AND

Team must determine whether conduct was caused by (1) the disability or (2) had a direct and substantial relationship to the disability.

Or

If conduct was a direct result of the LEA’s failure to implement the IEP.

If team determines no manifestation:

Then school discipline can be put into effect, except that child is to continue to receive FAPE (team determines which services are necessary to enable progress in general curriculum and IEP goals and the setting where they will be provided).

If team determines manifestation:

IEP and placement cannot be changed except by team process, (e.g. parents’ consent to change of placement).

Exception allows for placement in interim alternative setting for 45 school days for possession of illegal drugs, weapons, serious bodily injury on school premises or at school function.

Team must develop a functional behavioral assessment plan and intervention plan or if a behavioral plan already exists, team must review it.

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Parents have right to expedited hearing (within 20 days) to contest manifestation determination or interim services.

Placement pending appeal is in the alternative setting as determined.

By the team for duration of discipline or completion of appeal.

The district may seek an expedited hearing for an order to place student in an alternative setting for a period of not to exceed 45 school days. Hearing officer may order an alternative setting when he determines the student remaining in the current placement is substantially likely to cause injury to the child or others.

OR

DISTRICT

INJUNCTION

*The information provided herein is intended to be used for general information only and not as legal advice. In the event legal advice is required for a particular matter, the services of an attorney should be sought.*
DISCIPLINING CHILDREN WHO MAY BE DISABLED BUT HAVE NO IEPs

Child Violates School Discipline Code:

All protection applies if district “had knowledge” the child was a child with a disability before the precipitating event.

Prior knowledge deemed if:

- Parent had expressed concern in writing to LEA administrator or child’s teacher the child needs special education and related services.
  
  The parent had requested an evaluation.

- The teacher or other personnel had expressed specific concern about a pattern of behavior to the director of special education or other supervisory personnel of the LEA.

  Exception: if the district had evaluated based upon the above and found no special needs or parent refused evaluation or services.

If no knowledge prior to the precipitating event, child can be disciplined.

However, if a request for an evaluation is made while child is subject of discipline evaluation must be done in an “expedited manner” and child to remain in placement determined by school officials (can include suspension or expulsion without services).

If eligibility is found as a result of the evaluation, the district must provide services.

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Prepared by Stoneman, Chandler & Miller LLP, 99 High Street, Boston, MA 617-542-6789, November 2007
Special Education Team Meeting

Attachment to N3

Meeting Date: Time:      AM
Location: Diman
Regional
Vocational
Technical
High
School
251
Stonehaven
Road,
Fall
River,
MA
02723
Administration
Office

Purpose of Meeting:
☐ Eligibility Determination:
☐ IEP Development:
☐ Placement
☐ Transition
☒ Other: Manifestation Determination

<table>
<thead>
<tr>
<th>Print Names and Roles of Team Members</th>
<th>Initial if in Attendance</th>
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<tbody>
<tr>
<td>/ Student</td>
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<tr>
<td>Debbie Pacheco / Director of Special Education</td>
<td></td>
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<tr>
<td>/ Special Education Teacher</td>
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<td>/ Vocational Teacher</td>
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<td>/ School Psychologist</td>
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Andrew Rebello, Assistant Principal of Student Affairs

/ Guidance Counselor
DIMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

MANIFESTATION DETERMINATION

Special Education/Section 504 Team Meeting to Determine the Relationship of a Problem Behavior to the Student’s Disability

Student Name: ........................................................................................................ Date: .....................................................................................................................

D.O.B. ...................................................................................................................... SASID # ...............................................................................................................

Section 504 Date: ....................................................................................................

Description of Specific Problem Behavior

State the purpose of the meeting and review the Special Education/Section 504 Parent’s Rights. Discuss the following questions. Check the Special Education/Section 504 Team responses and record the detailed summary of discussion on Conference Summary Report. Attach this form to the Conference Summary Report.

1. Is the most recent evaluation current, comprehensive and relevant to specific problem behavior? **YES** or **NO** (If no, conduct re-evaluation.) (School staff should review evaluation(s) prior to the meeting.)

2. Is there any unusual school or current life circumstance event precipitating this behavior? **YES** or **NO**

3. Is the present Special Education/Section 504 Plan current, complete and responsive to evaluation information and problem behavior? **YES** or **NO**

4. Is the present Special Education/Section 504 Plan being appropriately implemented? **YES** or **NO** (If no, being appropriate implementation.)

5. Should the Special Education/Section 504 Plan be modified/changed in order to more appropriately address the problem behavior? **YES** or **NO** (If yes, make the changes and then determine placement in the least restrictive environment.)

6. Is the problem behavior a manifestation of the disability? 1) Review the behavior characteristics common to the disability. 2) Consider evaluation information may describe specific behaviors and recommend interventions. 3) Discuss steps taken by the school to address the problem behavior. Record this information in detail on the Conference Summary Report.
Special Education/Section 504 Team Discussions

The specific problem behavior is a manifestation of the student’s disability.

- Significant change in placement, including suspensions beyond the ten-day limit, may occur only with informed parent consent. If a parent disagrees with the proposed placement change, the school may consider seeking a temporary exclusion from state or federal court.

The specific problem behavior is not a manifestation of the student’s disability.

- Significant change in placement, including suspensions beyond the ten-day limit may occur. If a parent disagrees and wishes to stop the proposed action, the parent must request a due process hearing within ten school days of the proposed action.

MANIFESTATION DETERMINATION
Worksheet for Manifestation Determination

Student Name: ___________________________ Date: __________

Eligible for Special Education Services: If YES, list qualifying disability:

Eligible for Section 504 Services: If YES, list qualifying disability:

Evaluation Team members (attach meeting list)

Source of information:

- Assessment/evaluations (attach assessment summaries)
- Diagnostic information (attach results)
- Interview(s) conducted (attach summaries)
- Direct observations (attach summaries)

Description of act of misconduct (include all relevant details):

Description of proposed disciplinary action:
Does the proposed disciplinary action constitute a change of placement (e.g. more than ten consecutive days)? If NO, proceed with disciplinary action. If YES, consider the following factors in making manifestation determination:

A. Nature of Disability

1. What is the student’s disability (including its behavioral characteristics and specific severity?)

2. What major life function(s) are impaired? Include a description of how the disability impedes academic or social performance.

3. To what extent are those major life areas impacted? Include a description of the student’s strengths, deficits and coping/compensatory strategies.

4. To what extent, if any, does the student’s disability preclude him/her from having the capacity to know engaging in the behavior was wrongful (including any acknowledgement and provision in the current Special Education/Section 504 Plan?)

5. To what extent, if any, does the student’s disability impair his/her awareness and understanding of the impact and consequences of such behavior?

B. Review of Disciplinary Records

1. What is the behavioral history of the student (including severity, setting and frequency)?
2. What is the history of behavioral interventions? Include a description of how long the behavior has been occurring untreated, settings where interventions have been applied and results of the behavioral techniques employed to date.

3. Did the student exhibit similar behavior in the past attributed to the disability? If so, provide the approximate date(s), specific behavior and resulting intervention and discipline.

C. Role of Impulsivity

1. To what extent, if any, does the disability impair the student’s behavioral controls? Include a description of specific characteristics related to the disability and the student’s ability to consider long-range consequences before acting.

2. To what extent, if any, does the student’s behavioral repertoire demonstrate a pattern of impulsivity?

3. What are the discrepancies between the student’s behavior in the home setting and the school setting?

4. To what extent, if any, are the current and previous act(s) of misconduct related to impulsivity?

D. Additional Relevant Input from Parent/Guardian

In summary, based on these factors, is there a requisite nexus between the misconduct and the disability?

If NO, discipline the student using procedures applicable to non-disabled students (except under IDEA, educational services may not cease).

If YES, re-evaluate the student’s IEP/Section 504 Plan, including the appropriateness of the placement.
# Highlights of Massachusetts Student Discipline Statutes and Regulations

## As of July 1, 2014

<table>
<thead>
<tr>
<th>G.L. Chapter 71, §37H</th>
<th>G.L. Chapter 71, §37H 1/2</th>
<th>G.L. Chapter 71, §37H 3/4</th>
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</thead>
</table>
| **Offenses:**  
On school premises or at school-sponsored events or activities:  
- Possession of a dangerous weapon  
- Possession of a controlled substance.  
- Assault on a member of the educational staff. | **Offenses:**  
1. A felony charge or felony delinquency complaint against a student.  
2. Conviction, adjudication or admission of guilt with respect to such felony. | **Offenses:**  
Any offense not addressed in §37H or §37H ½. |

| **Consequence:**  
- Exclusion for an amount of time up to expulsion.  
- Principal may suspend and not expel as he or she deems appropriate. | **Consequence:**  
1. Felony charge or felony delinquency complaint: suspension for a period deemed appropriate by principal if the principal determines the student’s continued presence would have a substantial detriment on the general welfare of the school. | **Consequence:**  
- Avoid suspending a student from school long-term (e.g. more than ten days) until other remedies and consequences have been considered; consider ways to re-engage the student in learning. |

---

1This chart is a basic overview of requirements found in state statutes and the Department’s Student Discipline Regulations, 603 CMR 53 (Regulations), as approved by the Board of Elementary and Secondary Education on April 29, 2014. The Regulations, as well as amended §37H and new §37H ¾ of chapter 71, and new §21 of G.L. c. 76, are effective July 1, 2014. School administrators should become familiar with the state statutes and Regulations before responding to student misconduct on or after July 1, 2014. It is also advisable to consult with local counsel on questions involving specific incidences of student misconduct.
2. Felony or felony delinquency conviction or adjudication or admission of guilt with respect to such a felony: removal for a period of time up to expulsion (e.g. permanent exclusion) if the principal determines the student's continued presence would have a substantial detriment on the general welfare of the school.

Due Process:
- Prior notice to student or charge and written notice of right to hearing prior to expulsion or suspension for more than ten days.
- Right to representation at hearing; and to present evidence and witnesses at hearing.

Due Process: (for either suspension or expulsion)
- Written notice of the charges and of the reasons before the suspension takes effect.
- Principal may determine the appropriate amount of time for suspension.
- Written notice of the right to appeal to the superintendent.
- Suspension remains in effect pending appeal to the superintendent.

Due Process:
- Consequences other than suspension may draw from evidence-based strategies and programs such as mediation, conflict resolution, restorative justice and behavior interventions and supports.
- No student may be suspended for more than 90 school days in a school year.

- Explicit requirement to translate notice of the charges and the reasons in primary language of the home if other than English, or other means of communication where appropriate.
- Principal must make and document reasonable efforts to include the parent in meeting/hearing with the
Before any out-of-school suspension of a student in preschool or grades K-3, the principal must notify the superintendent in writing of the alleged misconduct and the reasons for suspending the student out-of-school.

Appeal from Principal’s Decision:
- Right to appeal expulsion decision to superintendent.
- Timeline for requesting appeal: ten days from date of expulsion.
- Right to Counsel at hearing.
- Superintendent can make factual determinations as well as determine consequences.

A student may appeal a suspension decision and the subsequent expulsion decision (following the conviction, adjudication or admission of guilt) regarding the same offense.

Appeal from Principal’s Decision:
- Timeline for requesting appeal: no later than five calendar days following the effective date of the suspension/expulsion.
- Superintendent must hold a hearing within three calendar days of receipt of request and issue a decision within five calendar days.
- Superintendent may overturn or alter the decision.

The student has the right to present
oral and written testimony, to cross-examine witnesses, and to counsel at his or her expense at the hearing.

- The superintendent must audiotape the hearing and notify the hearing participants the hearing will be taped.

- The superintendent determines the facts and consequences, if any, but cannot impose a consequence greater than the principal decided. A written decision is due within five calendar days of the hearing.

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<th>Provision of Education Services</th>
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<tr>
<td>Provide every student an opportunity to make <em>academic progress</em> during the period of suspension (whether in school or out of school) or expulsion, to make up assignments and earn credits missed. A district suspends or expels a student for <em>more than ten consecutive days and must</em> provide the student and the parent with a list of alternative educational services.</td>
<td>Same</td>
<td>Same</td>
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See G.L. c. 76, §21 and 603 CMR 53/13 for details, including required notice.

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<th>Discipline Collection and Reporting</th>
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<tr>
<td>● Collect and report to the Department data concerning the types and lengths of removals, suspensions and expulsions and access to education services.</td>
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<td>Same</td>
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<tr>
<td>● Periodically review discipline data by selected student populations; determine extent of disciplinary removals and the impact on such populations; adjust practices as appropriate.</td>
<td>Discipline Collection and Reporting</td>
<td>Discipline Collection and Reporting</td>
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</tbody>
</table>

| ● The Department will provide assistance to school(s) if the Commissioner identifies school(s) in districts which have the highest percentage of suspensions or expulsions in Massachusetts for more than ten cumulative days in a school year. | Same | Same |
| ● Create a plan to address disparities if the Commissioner determines school or district discipline data reflect significant disparities by race and ethnicity or disabilities. | Discipline Collection and Reporting | Discipline Collection and Reporting |
See 603 CMR 43.14 for details.
Discipline of Special Education Students Under IDEA 2004
20 U.S.C. § 1415(k) and 34 CFR §§ 300.530-300.536

- This chart should be read in conjunction with discipline procedures in state law, M.G.L. c. 71, §§ 37H & 37H1/2, and district-wide and school-wide student codes of conduct.
- Protections in the IDEA apply to students who have been found eligible for special education and to students for whom the school is deemed to have knowledge that the child might have a disability (i.e., students who have not yet been found eligible but the school had a basis of knowledge of a disability, including students who have been referred for initial evaluation). 34 CFR § 300.554
- Beginning on the 11th school day of a student’s disciplinary removal during the school year, and if removal is a change in placement, the student must be provided free appropriate public education (FAPE) services during the period of removal to allow him/her to continue to participate in the general education curriculum and progress towards IEP goals, even if in a different setting. 34 CFR § 300.530(b) & (d).
- If the conduct that the student is being disciplined for involves the “special circumstances” of weapons, illegal drugs, controlled substances, or serious bodily injury, school personnel may remove the student to an interim alternative educational setting (IAES) for up to 45 school days, regardless of the manifestation determination. 34 CFR § 300.530(g). The IEP Team must determine the IAES.
- Although the following flowchart lays out the steps that a school district must take when disciplining a student with a disability, it is important to remember that at any point the parent and school district can agree to change the student’s placement for disciplinary reasons. Agreement should be in writing, and signed by the school personnel and the parent.

**Student protected under IDEA violates a school code of conduct**

- **Disciplinary removal for current misconduct is for less than 10 consecutive school days and removal total less than 10 cumulative school days in the school year**
  - 34 CFR § 300.530(b)

**District may exclude student from the current placement without obligation to provide FAPE unless the district provides services for students without disabilities who are similarly removed.**
  - 34 CFR § 300.530(d)(2).
  - Types of exclusion may be suspension, removal and assignment to an interim alternative educational setting (IAES). An “in-house” suspension may be considered a change in placement.

- By the 10th cumulative school day of removal in the same school year, the district must consult with at least one of the student’s teachers to determine the extent to which FAPE services are needed to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting IEP goals.
  - 34 CFR § 300.530(g)(4)

**Manifestation Determination:**
- Is the current removal one in a series that is a pattern of removal constituting a change of placement?
  - 34 CFR § 300.536
- **NO**

**Within 10 school days of decision to remove student for disciplinary reasons, the district, the parent and relevant members of the IEP Team must review relevant information and make a manifestation determination.**
  - 34 CFR § 300.530(e)

- **YES** to either
  - **YES to either**
    - Student’s conduct is a manifestation of his/her disability. 34 CFR § 300.530(g)
  - Student’s conduct is not a manifestation of his/her disability. 34 CFR § 300.530(c)

**If conduct was a direct result of failure to implement the IEP,**
- the district must take immediate steps to remedy those deficiencies and review.
  - 34 CFR § 300.530(e)(3)

- Conduct a functional behavioral assessment and develop a behavioral implementation plan, or review and modify an existing plan as needed.
  - 34 CFR § 300.530(f)(5)(i)

- And return student to placement unless (1) parent and district agree to a different placement, (2) hearing officer rules new placement, or (3) removal is for “special circumstances” under 34 CFR § 300.530(g). 34 CFR § 300.530(f)(2).

- Provide, as appropriate, functional behavioral assessment and behavioral intervention services and modifications.
  - 34 CFR § 300.530(e)(1)

- Return student to placement when the disciplinary period expires unless parent and school agree otherwise or student is knowingly expelled.

**Disciplinary removal for current misconduct is for less than 10 consecutive school days but removal total more than 10 school days in the school year**
- 34 CFR § 300.530(b)(2)

**Removal is a change in placement**
- 34 CFR § 300.536(g)(1)

- **Notify parents immediately of decision to change placement for disciplinary reasons,** and of procedural safeguards under IDEA.
  - 34 CFR § 300.530(b)(2). Student is entitled to FAPE services as determined by the Team. 34 CFR § 300.530(d)(3)

- Within 10 school days of decision to remove student for disciplinary reasons, the student and relevant members of the IEP Team must review relevant information and make a manifestation determination.
  - 34 CFR § 300.530(e)

- **Does the conduct have a direct and substantial relationship to the disability?**
  - **NO to both**

- **Yes to either**
  - May apply relevant disciplinary procedures in the same manner and for the same duration as to students without disabilities. 34 CFR § 300.530(e)

- IEP Team determines extent to which FAPE services are needed to enable the student to continue to participate in the general education curriculum and progress toward meeting IEP goals.
  - 34 CFR § 300.530(2)(2).

- Provide, as appropriate, functional behavioral assessment and behavioral intervention services and modifications.
  - 34 CFR § 300.530(e)(1)

- Return student to placement when the disciplinary period expires unless parent and school agree otherwise or student is knowingly expelled.
Appeals Process for Disciplinary Placement Decisions for Students with Disabilities
Under IDEA 2004: 20 U.S.C. § 1415(k) and 34 CFR §§ 300.532-300.533

Who may file an appeal of a disciplinary decision?

- A parent of a child with a disability who disagrees with any decision regarding the child's disciplinary placement, or the manifestation determination, may appeal the decision by requesting a hearing at the Bureau of Special Education Appeals (BSEA).
- Reasons for appeal may include but are not limited to disagreement with the student's removal to an interim alternative educational setting (IAES), disagreements regarding the manifestation determination, disagreement regarding the determination of whether the removal is a change of placement, disagreement regarding the educational services the student receives during the period of removal, and disagreement regarding the functional behavioral assessment and/or implementation of a behavioral intervention plan.
- An IEP team believes that maintaining the student's current placement is substantially likely to result in injury to the child or others may file a request for hearing at the BSEA.

Parent or LEA files a request for hearing
at the Bureau of Special Education Appeals (BSEA) 34 CFR § 300.532(a)

Or parent and district agree to another placement while the appeal is pending

Student remains in disciplinary placement while the appeal is pending 34 CFR § 300.533

Or time period for disciplinary placement expires while the appeal is pending and child is returned to original placement

The BSEA will schedule an expedited due process hearing to occur within 20 school days of the date the hearing request is filed. 34 CFR § 300.533(c)

Parties agree in writing to waive a resolution meeting.
34 CFR § 300.510(b)(3)

Parties agree to use a voluntary mediation process.
34 CFR § 300.506

Parties proceed with a resolution meeting.
34 CFR § 300.510

Parties do not reach agreement. Matter not resolved.

Parties reach agreement. Matter resolved to the parties' satisfaction.
34 CFR § 300.510(h)

Resolution meeting must occur within seven days of receiving notice of the due process complaint.
34 CFR § 300.533(c)(3)(i)

Parties reach agreement. Matter resolved.
34 CFR § 300.510(h)

Matter not resolved to the parties' satisfaction.

Resolution meeting.

Due Process Hearing

The Hearing Officer (HO) makes a determination within 10 days of the hearing.
34 CFR § 300.532(c)(2)

Parties' do not reach agreement. Matter not resolved.

HO finds no violation. Student may remain in disciplinary placement until its expiration or until parent and district agree otherwise.
34 CFR § 300.532(b)(2)(ii)

HO finds a violation of
34 CFR § 300.530
and returns the student to the placement from which the child was removed.
34 CFR § 300.532(b)(2)(ii)

HO determines that maintaining the current placement is substantially likely to result in injury to the child or others and orders a change in placement to an appropriate IAES for not more than 45 school days.
34 CFR § 300.532(b)(2)(ii)

Hearing Officer's decision may be appealed to state or federal court.
34 CFR § 300.532(c)(5)

Massachusetts Department of Education: December, 2007
Discipline Letters

- In-School Suspension Notice for In-school suspension of ten days or Less Cumulative or Consecutively in the School Year
- Short-Term Out of School Suspension Notice
- Short-Term Out of School Suspension Decision
- Long-Term Out of School Suspension Hearing Notice
- Long-Term Suspension/Expulsion Notice After Formal Discipline Hearing
- Superintendent’s Appeal Decision
- Initial (Short-Term) Suspension Notice, Felony Offenses
- Initial (Short-Term) Suspension Notice, Felony Offenses
- Long-Term Suspension Decision Felony Offenses
- Long-Term Suspension Decision Felony Offenses
- Superintendent’s Decision, Felony Offenses
- Long-Term Out-of-School Suspension Hearing Notice
- Long-Term Out-of-School Suspension Decision
- Superintendent’s Appeal Notice
- Superintendent’s Appeal Decision
- Emergency Removal Notice / Decision
- Initial (Short-Term) Suspension Notice and Notice of Formal Disciplinary Hearing
- Initial (Short-Term) Suspension Notice and Notice of Formal Disciplinary Hearing
- Long-Term Suspension / Expulsion Decision After Formal Discipline Hearing
IN-SCHOOL SUSPENSION NOTICE FOR IN-SCHOOL SUSPENSION OF 10 DAYS OR LESS CUMULATIVE OR CONSECUTIVELY IN THE SCHOOL YEAR

Dear

Today, your child was determined to have committed a violation of school rules, namely ______________________. Prior to the imposition of disciplinary consequences, your child has been informed of the disciplinary offense alleged and provided an opportunity to dispute the charge(s) against him/her and to explain the circumstances surrounding the alleged incident.

Based on the information gathered regarding this incidence, including the information provided by our child, I have determined your son/daughter committed the infraction and have imposed an in-school suspension of ___________ days, beginning on __________ and ending on __________. This decision is final and there is no opportunity for appeal. During this suspension, your child will have the opportunity to make up assignments, tests, papers and other schoolwork as needed to make continued academic progress.

Earlier today, I contacted you to notify you of the disciplinary offense, the reasons for concluding your child committed the infraction, the length of the in-school suspension, and of the opportunity to meet to discuss your child’s academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Kindly contact my office to confirm a date and time in which we may further discuss these matters.

If you have any questions about this matter, please contact me directly.

Sincerely,
SHORT-TERM OUT OF SCHOOL SUSPENSION NOTICE

Dear

Your child, __________, is alleged to have committed a violation of school rules, namely ___________. Specifically, he/she is accused of having ____________.

Because your child is potentially subject to an out-of-school suspension for ten (10) days or less within the school year, I provided your child oral notice of the allegations against him/her and of the disciplinary due process set forth below. Additionally, I contacted you on ________ to notify you of the disciplinary offense described above and your child is potentially subject to disciplinary of up to ten (10) days of out-of-school suspension for alleged violation.

Accordingly, I have scheduled a disciplinary hearing to consider whether your child committed the disciplinary offenses, and, if so, what disciplinary remedy or consequence will be imposed. The hearing will take place at my office on __________ at ____________ pm/am. During the hearing regarding the potential suspension, both you, should you choose, and your child will have the opportunity to dispute the charges and to present his/her explanation of the alleged incident, including any mitigating facts. You and/or your child have the right to interpreter services at the hearing if needed to participate. Please notify me of such need immediately in writing so the school can make prompt arrangements for interpreter services.

If you have any questions about this matter, please contact me directly.

Sincerely,
SHORT TERM OUT OF SCHOOL SUSPENSION DECISION

Dear

As you are aware, a short-term suspension hearing was conducted in my office on ________ to provide you and your child the opportunity to respond to the allegations your child committed a violation of school rules, namely ___________. The hearing was attended by ___________. During the hearing, you and your child were provided the opportunity to dispute the charges and to present an explanation of the alleged incident, including any mitigating facts.

Based on the information presented at the hearing, I determined your child committed the infraction as charged and imposed an out-of-school suspension of ________ days, beginning on ____ and ending on _____________. I have made this determination based on (provide factual basis for the determination the student committed the offense). This decision is final and there is no opportunity for appeal. During this suspension, your child will have the opportunity to make up assignments, tests, papers and other schoolwork as needed to make academic progress during his/her suspension from school. Kindly contact __________ to discuss the manner in which such an opportunity will be provided.

If you have any questions about this matter, please contact me directly.

Sincerely,
LONG-TERM OUT OF SCHOOL SUSPENSION HEARING NOTICE

Dear

Your child, ________________, is alleged to have committed a violation of school rules, namely _____________. Because your child is potentially subject to an out of school suspension for more than ten (10) days within the school year, I provided your child oral notice of the allegations against him/her and the disciplinary due process set forth below. Additionally, I contacted you to notify you of the disciplinary offense described above, the basis for the charge and your child is potentially subject to discipline of more than ten (10) days of out of school suspension in a school year.

In accordance with the oral notice provided to you, I have scheduled a disciplinary hearing to consider whether your child committed the disciplinary offense, and, if so, what disciplinary remedy or consequence will be imposed. The hearing will take place at my office on ____ at ______pm/am. Prior to the hearing, you and your child will have the opportunity, if you choose, to review your child’s records and to review the documents the school may rely on in determining whether your child committed the offense, of which he/she is accused and, if so, the appropriate sanction therefore.

At the discipline hearing, you and your child have the right to be represented by counsel or a lay person of your choice (at private expense); the right to produce witnesses on your child’s behalf; and to present an explanation of the alleged incidence, but your child may not be compelled to testify; the right to cross-examine witnesses presented by the school district; and the right to request the hearing be audio recorded and to receive a copy of the audio recording upon request. You and your child, also, have the right to interpreter services at the hearing if needed to participate. Please notify me of such a need immediately in writing so the school can make prompt arrangements for interpreter services. In addition, to the extent you do intend to bring an attorney to the hearing, it is necessary you notify my office no less than twenty-four hours prior to the hearing in order to arrange for the participation of the District’s attorney.

Finally, please note to the extent a long-term suspension be imposed following the disciplinary hearing, you and your child will have the right to file a written appeal with the Superintendent of Schools within five (5) calendar days of the effective date of my determination.

If you have any questions about this matter, please contact me directly.

Sincerely,
M.G.L. C. 71, SECTION 37H – LONG-TERM SUSPENSION/EXPULSION NOTICE AFTER FORMAL DISCIPLINE HEARING

Dear

On ______, your child was alleged to have (possessed a controlled substance, namely _______ / possessed a dangerous weapon, namely ________ / assaulted a staff member). Subsequent to the allegations, your child was informed of the violations of school rules with which he/she was charged and was provided with the opportunity to respond thereto. Based on the information presented at the informal hearing, a preliminary determination was made your child (possessed a controlled substance in school or at a school-sponsored event / possessed a dangerous weapon in school or at a school-sponsored event / assaulted a school staff member) and he/she was suspended for an interim period of (10 days or less) pending further disciplinary proceedings.

Because your child has been determined to be an eligible student with a disability for purposes of applicable federal laws and regulations, a meeting of building administrators and relevant members of your child’s IEP Team was convened on ______ to consider whether, based upon all available relevant information, the conduct for which your child is subject to long-term suspension or expulsion was caused by or directly and substantially related to a disability or whether the conduct was a direct result of any failure to implement your child’s IEP. As you know, the Team determined the conduct in question was not a manifestation of a disability.

Due to the findings of the Manifestation Team, a formal hearing to consider your child’s long-term suspension or expulsion was conducted in my office on ____. Based on the evidence presented at the hearing, I have determined your child id, on ____ possession drugs on school grounds or at a school-sponsored event / possessed a dangerous weapon on school grounds or at a school-sponsored event / assaulted a staff member) in violation of the school policies, the Code of Conduct, and Massachusetts law. M.G.L. c 71, Section 37H. Your child’s (possession of such a dangerous weapon / possession of a controlled substance / assault on a staff member) is an extremely serious offense, which compromises the safety of your child’s fellow students and school staff, as well as the orderly educational environment of the school.

After careful consideration of the information presented at the formal hearing, I have determined your child will be (long-term suspended from ______ to ______ / expelled) from school. M.G.L. c. 71, Section 37H. As a result of this exclusion, your child is prohibited from trespassing on school grounds and from
attending school sponsored events and activities, except as set forth in the school’s Education Service Plan. Because your child is subject to exclusion from school for more than ten (10) consecutive school days, he/she has the opportunity to receive educational services during his/her period of removal. Please find enclosed the school’s Education Services Plan, which provides a list of the specific education services available during your child’s removal from school and contact information for school personnel who will be able to provide you more information about accessing such services.

Please be advised you have the right to appeal my decision in this matter to the Superintendent of Schools within ten (10) calendar days of your receipt of this correspondence. Upon receipt of any such appeal, the Superintendent will schedule and conduct a hearing at which your child will have the right to be presented by an attorney (at private expense) and to present evidence and witnesses in support of his/her appeal. Pending the Superintendent’s hearing and a decision, however, the terms and conditions of the disciplinary sanction I am hereby imposing shall remain in full force and effect.

Sincerely,
M.G.L. c. 71, Section 37H – SUPERINTENDENT’S APPEAL DECISION

Dear

As you are aware, the Greater Fall River School District was informed your child, ______ (possessed a controlled substance, namely _____ / possessed a dangerous weapon, namely _____ / assaulted a staff member). On ___, after an informal hearing with the principal, your child was suspended from school for an interim period of ten (10) school days pending further disciplinary action. The formal disciplinary hearing was conducted by the principal on ____. Based on the totality of the evidence presented at the formal hearing, the principal determined your child would be suspended from school (for the remainder of the school year / school year/permanently expelled).

I have carefully reviewed the evidence presented at the ______ appeal hearing as well as the audiotapes of the principal’s formal hearing and the written decision regarding your child’s current exclusion from school. Based on my review of evidence, I have determined the principal’s decision to (suspend/permanently exclude) your child from school was appropriate and in accordance with his/her authority as principal. Accordingly, I agree with the principal’s decision and am upholding his/her decision in this matter.

Sincerely,

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M.G.L. c. 71, Section 37H 1/2 – INITIAL (SHORT TERM) SUSPENSION NOTICE, FELONY OFFENSES

Dear

It has come to the attention of the Greater Fall River School District that your child has been charged with a felony, namely ___________, by the Fall River Police Department. In accordance with applicable policies and procedures, I met with your child on __ to discuss the charge now pending against him/her and to inform him/her of his/her possible suspension from school in accordance with M.G.L. c. 71, Section 37H ½. During this period of interim suspension, your child is prohibited from trespassing on school grounds and from attending school sponsored events and activities. Your child will have the opportunity to earn credits, as applicable, make up assignments, tests, papers and other schoolwork as needed to make academic progress during your child’s removal from school.

Based on my review of the information provided to date, I have made a preliminary determination he/she is currently charged with a felony offense and, based upon (describe nature of charges (e.g. the use of force or violence/involvement of narcotics), his/her continued presence at ____ school would have substantial detrimental effect on the general welfare of the school. Accordingly, I have determined your child, effective today, will be suspended for an interim suspension, your child is prohibited from trespassing on school grounds and from attending school sponsored events and activities. Your child will, however, have the opportunity to earn credits as applicable, make up assignments, tests, papers and other schoolwork as needed to make academic progress during your child’s removal from school.

Please be advised a formal hearing to consider your child’s long-term suspension from school will be conducted in my office on _____ at _____ pm/am. At the hearing, your child has the right to be represented by an attorney (at private expense) and to present evidence and witnesses in his/her defense. If, based on the evidence presented at the hearing, I determined your child will be suspended from school on a long-term basis; you will have the right to appeal my decision to the Superintendent within five (5) calendar days of the effective date thereof. Pending the Superintendent’s decision on any such appeal, however, the terms and conditions of my decision shall remain in effect.

If you have any questions about this matter, please contact me directly.

Sincerely,
M.G.L. c. 71, Section 37H ½ - INITIAL (SHORT-TERM) SUSPENSION NOTICE FELONY OFFENSES

Dear

It has come to the attention of the Greater Fall River School District your child has been charged with a felony, namely _____ list felony charges), by the _____ Fall River Police Department. In accordance with applicable policies and procedures, I met with your child on ____ to discuss the charge now pending against him/her and to inform him/her of his/her possible suspension from school in accordance with M.G.L. c. 71, Section 37H ½. At the informal hearing, your child confirmed a felony charge is pending against him/her at this time.

Based on my review of the information provided to date, I have made a preliminary determination he/she is currently charged with a felony offense and, based upon (described nature of charges ((e.g. the use of force or violence/involvement of narcotics)), his/her continued presence at school would have a substantial detrimental effect on the general welfare of the school. Accordingly, I have determined your child, effective today, will be suspended for an interim period of ten (10) school days pending further disciplinary proceedings. M.G.L. c. 71 Section 37H ½. During this period of interim suspension, your child is prohibited from trespassing on school grounds and from attending school sponsored events and activities. Your child will, however, have the opportunity to earn credits, as applicable, make up assignments, tests, papers and other schoolwork as needed to make academic progress during your child's removal from school.

Because your child has been determined to be an eligible student with a disability for purposes of applicable federal laws and regulations, a meeting of building administrators and relevant members of your child IEP Team will be convened on _______ date and time prior to scheduled long-term suspension hearing. At the meeting, the Manifestation Team will consider whether, based upon all available relevant information, the conduct for which your child has been charged with a felony was caused by or directly and substantially related to a disability or whether the conduct was a direct result of any failure to implement your child’s IEP. You are encouraged to attend and participate in the Manifestation Team meeting. To ensure you are aware of your rights in this matter, enclosed please find a Notice of Procedural Safeguards.

If the Manifestation Team determines the conduct for which your child has been charged with a felony was not a manifestation of a disability, a formal hearing to consider our child’s long-term suspension from school will be conducted in my office on _____ and ____. At the hearing, your child has the right to be
presented by an attorney (at private expense) and to represent evidence and witnesses in his/her defense. If, based on the evidence and witnesses in his/her defense. If, based on the evidence presented at the hearing, I determined your child will be suspended from school on a long-term basis, you will have the right to appeal my decision to the Superintendent within five (5) calendar days of the effective date thereof. Pending the Superintendent’s decision on any such appeal, however, the terms and conditions of my decision shall remain in effect.

If you have any questions about this matter, please contact me directly.

Sincerely,
Dear

As you are aware, the Greater Fall River School District has been informed your child, ______, has been charged with a felony (convicted of a felony or adjudicated delinquent or admitted sufficient facts to support a finding of guilt with respect to such a felony or felony delinquency), namely_____, by the __________ Fall River Police Department. On _______, I conducted an informal hearing to discuss the charge now pending against your child and to inform your child of his/her possible suspension (and expulsion) from school in accordance with M.G.L. c. 71, Section 37H ½. At the informal hearing, your child confirmed the felony charge remained pending against him/her (had been convicted of a felony/adjudicated delinquent/admitted sufficient facts to support a finding of guilt with respect to such a felony or felony delinquency). At that time, your child was suspended for an interim period of ten (10) school days pending further disciplinary action.

On _______, I conducted the formal hearing to consider your child’s possible long-term suspension from school, in which (list participants) participated. At the hearing, undisputed evidence was presented your child was, and remains, charged with a felony offense had been convicted of a felony/adjudicated delinquent/admitted sufficient factors to support a finding of guilt with respect to such a felony or felony delinquency) based on his/her (describe charges). At the conclusion of the hearing, you were informed your child would remain suspended from school pending my final decision in this matter.

I have had the opportunity to carefully consider the seriousness of your child’s conduct, and the information you and your child presented at the hearing. After careful consideration of all the evidence presented, I have determined your child has been charged with a felony and your child’s continued presence at the school would have a substantial detrimental effect on the general welfare of the school. (list the detrimental effects)

Accordingly, I have determined your child will be suspended for the remainder of the ____ school year or until such time as the felony charge is no longer pending. If you child is convicted, adjudicated delinquent, makes an admission in court of guilt of a felony or an admission to sufficient facts to support a finding of guilt of a felony, or if the felony charge remains pending during the (insert next school year) school year, I reserve the right to take further action under M.G.L. c. 71, Section 37H 1/2, as appropriate.
Accordingly, I have determined your child will be expelled from the Greater Fall River School District effective immediately. Additionally, effective immediately, _____, is prohibited from trespassing on school grounds and from attending school sponsored events or activities, except as specifically set forth in the school’s education service plan.

Because your child is subject to exclusion from school for more than ten (10) consecutive days, he/she has the opportunity to receive educational services during his/her period of removal. Please find enclosed the school’s Education Service Plan, which provides a list of the specific education services available during your child’s removal from school and contact information for school personnel who will be able to provide you more information about accessing such services.

Please be advised you have the right to appeal my decision in this matter to the Superintendent within five (5) calendar days of receiving this correspondence. Upon receipt of any such appeal, the superintendent will schedule and conduct a hearing at which your child will have the right to be represented by an attorney (at private expense) and to present evidence and witnesses in support of his/her appeal. Pending the Superintendent’s hearing and decision, however, the terms and conditions of the disciplinary sanction I am hereby imposing shall remain in full force and effect.

If you have any questions, please contact me directly.

Sincerely,
M.G.L. c. 71, Section 37H ½ - LONG TERM SUSPENSION DECISION FELONY OFFENSES

Dear

As you are aware, the Greater Fall River School District has been informed your child, ______, has been charged with a felony (convicted of a felony or adjudicated delinquent or admitted sufficient facts to support a finding of guilt with respect to such a felony or felony delinquency), namely_____, by the ________ Fall River Police Department. On _______, I conducted an informal hearing to discuss the charge now pending against your child and to inform your child of his/her possible suspension (and expulsion) from school in accordance with M.G.L. c. 71, Section 37H ½. At the informal hearing, your child confirmed the felony charge remained pending against him/her (had been convicted of a felony/adjudicated delinquent/admitted sufficient factors to support a finding of guilt with respect to such a felony or felony delinquency). At that time, your child was suspended for an interim period of ten (10) school days pending further disciplinary action.

On _______, I conducted the formal hearing to consider your child’s possible long-term suspension from school, in which (list participants) participated. At the hearing, undisputed evidence was presented your child was, and remains, charged with a felony offense had been convicted of a felony/adjudicated delinquent/admitted sufficient factors to support a finding of guilt with respect to such a felony or felony delinquency) based on his/her (describe charges). At the conclusion of the hearing, You have been informed your child would remain suspended from school pending my final decision in this matter.

I have had the opportunity to carefully consider the seriousness of your child’s conduct, and the information you and your child presented at the hearing. After careful consideration of all the evidence presented, I have determined your child has been charged with a felony and your child's continued presence at the school would have a substantial detrimental effect on the general welfare of the school. (list the detrimental effects)

Accordingly, I have determined your child will be suspended for the remainder of the _____ school year or until such time as the felony charge is no longer pending. If you child is convicted, adjudicated delinquent, makes an admission in court of built of a felony or an admission to sufficient facts to support a finding of guilt of a felony, or if the felony charge remains pending during the (insert next school year) school year, I reserve the right to take further action under M.G.L. c. 71, Section 37H 1/2, as appropriate.
Accordingly, I have determined your child will be expelled from the Greater Fall River School District effective immediately. Additionally, effective immediately, _____, is prohibited from trespassing on school grounds and from attending school sponsored events or activities, except as specifically set forth in the school’s education service plan.

Because your child is subject to exclusion from school for more than ten (10) consecutive days, he/she has the opportunity to receive educational services during his/her period of removal. Please find enclosed the school’s Education Service Plan, which provides a list of the specific education services available during your child’s removal from school and contact information for school personnel who will be able to provide you more information about accessing such services.

Please be advised you have the right to appeal my decision in this matter to the Superintendent within five (5) calendar days of you receiving this correspondence. Upon receipt of any such appeal, the superintendent will schedule and conduct a hearing at which your child will have the right to be represented by an attorney (at private expense) and to present evidence and witnesses in support of his/her appeal. Pending the Superintendent’s hearing and decision, however, the terms and conditions of the disciplinary sanction I am hereby imposing shall remain in full force and effect.

If you have any questions, please contact me directly.

Sincerely,
Dear

As you are aware, the Greater Fall River School District was informed that your child, ________, has been charged with a felony, namely ________, by the Fall River Fall River Police Department. On ________, after an informal hearing with the Principal, your child was suspended from school for a period of ten (10) school days pending further disciplinary action. The Principal on _________ conducted the formal disciplinary hearing.

Based on the totality of the evidence presented at the formal hearing, the Principal determined your child would be permanently expelled from school.

I have carefully reviewed the evidence presented at the _____ appeal hearing as well as the audiotapes of the Principal’s formal hearing and the written decision regarding your child’s current (long-term suspension/expulsion) from school. Based on my review of evidence, I have determined the Principal’s decision to (long-term suspension/permanently expel) your child from school for the remainder of the school year was appropriate and in accordance with his/her authority as Principal. Accordingly, I agree with the Principal’s decision and am upholding his/her decision in his matter.

Sincerely,
LONG-TERM OUT-OF-SCHOOL SUSPENSION HEARING NOTICE

Dear

Your child, ____, is alleged to have committed a violation of school rules, namely ___. Because your child is potentially subject to an out-of-school suspension for more than ten (10) days within the school year, I provided your child oral notice of the allegations against him/her and the disciplinary due process set forth below. Additionally, I contacted you to notify you of the disciplinary offense described above, the basis for the charge and your child is potentially subject to discipline of more than ten (10) days of out-of-school suspension in a school year.

Because your child has been determined to be an eligible student with a disability for purposes of applicable federal laws and regulations, a meeting of building administrators and relevant members of your child's IEP/504 Team will be convened on ___. At the meeting, the Manifestation Team will consider whether, based upon all available relevant information, the conduct for which your child is subject to long-term suspension was caused by or directly and substantially related to his/her disability or whether the conduct was a direct result of any failure to implement your child's IEP/504 Plan. You are encouraged to attend and participate in the Manifestation Team meeting.

If the Team determines the conduct for which your child is subject to long-term suspension was not a manifestation of his/her disability, a disciplinary hearing to consider whether your child committed the disciplinary offense, and, if so, what disciplinary remedy or consequence will be imposed will be conducted in my office on ______ at ____pm/am. Prior to the hearing, you and your child will have the opportunity, if you choose, to review your child's records and to review documents the school may rely on in determining whether your child committed the offense, of which he/she is accused and, if so, the appropriate sanction therefore. To ensure you are aware of your rights in this matter, enclosed please find a Notice of Procedural Safeguards.

If you have any questions about this matter, please contact me directly.

At the discipline hearing, you and your child have the right to be represented by counsel or a lay person of your choice (at private expense); the right to produce witnesses on your child's behalf
and to present an explanation of the alleged incident, but your child may not be compelled to testify; the right to cross-examine witnesses presented by the school district; and the right to request the hearing be audio recorded and to receive a copy of the audio recording upon request. You and your child also have the right to interpreter services at the hearing if needed to participate. Please notify me of such a need immediately in writing so the school can make prompt arrangements for interpreter services. In addition, to the extent you do intend to bring an attorney to the hearing, it is necessary you notify my office no less than twenty-four hours prior to the hearing in order to arrange for the participation of the District's attorney.

Finally, please note to the extent a long-term suspension is imposed following the discipline hearing, you and your child will have the right to file a written appeal with the Superintendent of Schools within five (5) calendar days of the effective date of my determination.

If you have any questions about this matter, please contact me directly.

Sincerely,
LONG-TERM OUT-OF-SCHOOL SUSPENSION DECISION

Dear

As you are aware, a long-term discipline hearing was conducted in my office on ___________ and ___________ to provide you and your child the opportunity to respond to the allegations your child committed a violation of school rules, namely _______________________. The hearing was attended by ___________________________________________________.

Prior to the hearing, you and your child were provided with the opportunity to review your child's records and any documents the school would rely upon in the disciplinary hearing. You were also informed of your right to have the hearing be audio recorded and to be provided with a copy of the recording. At the discipline hearing, you and your child were provided the opportunity to be represented by an attorney or lay advocate at your own expense; to produce witnesses on your child's behalf and to present his/her explanation of the alleged incident; to cross-examine witnesses presented by the school district, and to dispute the charges and to present an explanation of the alleged incident, including any mitigating facts.

Based on the information presented at the hearing, I have determined your child did/did not commit the violation with which he/she was charged. Specifically, I have determined _______________________.

In light of my findings in this matter, and after considering mitigating circumstances and alternatives to suspension, I am exercising my discretion to impose an out-of-school suspension of ___________ days, beginning on ___________ and ending on ___________. Your child may return to school on ___________. During this long-term suspension, your child will be provided the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during your child's removal from school. Because your child is subject to suspension for more than ten (10) consecutive days, he/she has the opportunity to receive educational services during his/her period of removal. Please find enclosed the school's Education Service Plan, which provides a list of the specific education services...
services available during your child's removal from school and contact information for school personnel who will be able to provide you more information about accessing such services.]

Please be advised you have a right to appeal this determination to the superintendent or his/her designee in writing, within five (5) calendar days of the effective date of the long-term suspension. You or your child may also request an extension of up to seven (7) calendar days of the time for filing the written appeal. The long-term suspension imposed above will remain in effect during the appeal process. If you have any questions about this matter, please contact me directly.

Sincerely,
SUPERINTENDENT'S APPEAL NOTICE

Dear

By letter/email from you ____________ dated ______________, you appealed the Principal’s decision to impose a long-term suspension of your child to me as the Superintendent of Greater Fall River School District. Accordingly, an appeal hearing will be conducted at ____________________________.

On ____________, you were previously provided written notification of you and your child's rights at the Principal's hearing. The same rights will also be afforded to you during the appeal. In addition, the hearing itself will be recorded, and you have the right to receive a copy of the recording upon request. If you have any questions about this matter, please contact me directly.

Sincerely,
SUPERINTENDENT'S APPEAL DECISION

Dear

As you are aware, a long-term discipline appeal hearing was conducted in my office on
__________ and __________ to provide you and your child the opportunity to respond to
the allegations your child committed a violation of school rules, namely
_______________. The hearing was attended by
___________________________.

At the appeal hearing, which was audio recorded, you and your child were provided the
opportunity to dispute the charges and to present an explanation of the alleged incident,
including any mitigating facts. Additionally, you and your child were provided with the
opportunity to review your child's record and the documents on which the school was
relying in determining the appropriate sanction; the right to be represented by counsel or
lay person of your choice (at private expense); the right to produce witnesses on your
child's behalf and to present his/her explanation of the alleged incident; the right to
cross-examine witnesses presented by the school district; and the right to receive a copy
of the audio recording upon request. At the conclusion of the appeal hearing, I informed
you, I would take the matter under advisement and issue a written decision on your
appeal within five (5) calendar days.

I have carefully reviewed the evidence presented at the _____ appeal hearing as well as
the audiotapes of the principal's hearing and the principal's written decision regarding
____ current long-term suspension from school. Based on my review of all of the
information, consistent with the principal's determination, I have determined the
following facts: __________.
As a result of those facts, I determined your child committed the infraction as alleged and, after considering mitigating circumstances and alternatives to suspension, I am exercising my discretion to uphold the long-term suspension of your child. As the principal previously informed you, the suspension began on __________ will end on __________ and your child will be permitted to return to school on _______________. This decision is final and not subject to further appeal.

In accordance with the notice provided to you by the principal, your child will be provided the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during your child's removal from classes. Please contact my office if you would like to access educational services pursuant to the school's Education Service Plan. Because your child is subject to suspension for more than ten (10) consecutive days, he/she has the opportunity to receive educational services during his/her period of removal. Please find enclosed the school's Education Service Plan, which provides a list of the specific education services available during your child's removal from school and contact information for school personnel who will be able to provide you more information about accessing such services.

Sincerely,
EMERGENCY REMOVAL NOTICE/DECISION

Dear

Today, your child was determined to have committed a violation of school rules, namely _________________________________. Prior to the imposition of disciplinary consequences, your child was informed of the disciplinary offense alleged and provided an opportunity to dispute the charges against him/her and to explain the circumstances surrounding the alleged incident. Based on the information gathered regarding this incident, including the information provided by your child, I determined your child committed the infraction and also determined your child's continued presence at the school posed a danger to persons or property, or was materially and substantially disruptive of the order of the school, and there was no alternative available to alleviate the danger or disruption. Accordingly, I made the determination to immediately suspend your child from school for two (2) school days, pending further hearing. Please be aware during this suspension, your child will have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during your child's removal from the school premises.

Earlier today, I contacted you to notify you of the disciplinary offense, the reasons for (Student's) emergency removal, and to confirm adequate provisions for your child's safety and transportation.

I have scheduled a disciplinary hearing to consider whether your child committed the disciplinary offense, and, if so, what disciplinary remedy or consequence will be imposed. The hearing will take place at my office on __________ at __________. At the hearing, both you, should you choose to participate, and your child will have the opportunity to dispute the charges and to present an explanation of the alleged incident, including any mitigating facts. You and your child also have the right to interpreter services at the hearing if needed to participate. Please notify me of such a need immediately in writing so the school can make prompt arrangements for interpreter services. I will render a decision orally on the day of the hearing and in writing no later than the following school day.
Additionally, because your child is potentially subject to long-term suspension, you and your child have the opportunity to review your child's record and documents on which the school may rely on in determining the appropriate sanction. Your child has the right to be represented by counsel or lay person of the student's choice (at private expense), to produce witnesses on your child's behalf and to present his/her explanation of the alleged incident, cross-examine witnesses presented by the school district; and the right to request the hearing be audio recorded and to receive a copy of the audio recording upon request. Your child may not be compelled to testify.

If you have any questions about this matter, please contact me directly.

Sincerely,
INITIAL (SHORT-TERM) SUSPENSION NOTICE AND NOTICE OF FORMAL DISCIPLINARY HEARING

Dear

On ____, your child, ____, was alleged to have ____. Your child's ____ on school grounds/at a school-sponsored event is a serious violation of Greater Fall River School District's policy, the student handbook, and M.G.L. c 71 §37H. An informal hearing was conducted with your child to discuss his/her conduct and to provide him/her with the opportunity to respond to the violation for which he/she has been charged. Based upon the information provided to me regarding this incident to date, I have determined, effective, ____ , your child will be suspended from school for an interim period often (10) school days pending further disciplinary proceedings. Please be aware during this suspension, your child will have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during your child's removal from school.

A formal long-term suspension/expulsion hearing will be conducted in my office on ___ and ___. At the hearing, your child has the right to be represented by an attorney or advocate (at your expense), to examine the evidence against him/her, and to present evidence and witnesses in his/her defense. If, after considering the evidence presented at this long-term suspension/expulsion hearing, I decide to impose a long-term suspension or expulsion, you may appeal my decision to the Superintendent of the Greater Fall River School District within ten (10) calendar days from the date the long-term suspension becomes effective. M.G.L. c. 71 §37H. Pending any such appeal, the terms and conditions of my decision shall remain in effect.

If you have any questions about this matter, please contact me directly.

Sincerely,
INITIAL (SHORT-TERM) SUSPENSION NOTICE AND NOTICE OF FORMAL DISCIPLINARY HEARING

Dear

On _____ your child, _____, was alleged to have _____ on school grounds/at a school-sponsored event is a serious violation of Greater Fall River School District's policy, the student handbook, and M.G.L. c. 71 §37H. An informal hearing was conducted with your child to discuss his/her conduct and to provide him/her with the opportunity to respond to the violation for which he/she has been charged. Based upon the information provided to me regarding this incident to date, I have determined, effective, ____, your child will be suspended from school for an interim period of ten (10) school days pending further disciplinary proceedings. Please be aware during this suspension, your child will have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during your child's removal from school.

Because your child has been determined to be an eligible student with a disability for purposes of applicable federal laws and regulations, a meeting of building administrators and relevant members of your child's IEP/504 Team will be convened on ____. At the meeting, the Manifestation Team will consider whether, based upon all available relevant information, the conduct for which your child is subject to long-term suspension was caused by or directly and substantially related to a disability or whether the conduct was a direct result of any failure to implement your child's IEP/504 Plan. You are encouraged to attend and participate in the Manifestation Team meeting. To ensure you are aware of your rights in this matter, enclosed please find a Notice of Procedural Safeguards.

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If the Team determines the conduct for which your child is subject to long-term suspension was not a manifestation of a disability, a formal long-term suspension/expulsion hearing will be conducted in my office on _____ and ___. At the hearing, your child has the right to be represented by an attorney or advocate (at your expense), to examine the evidence against him/her, and to present evidence and witnesses in his/her defense. If, after considering the evidence presented at this long-term suspension/expulsion hearing, I decide to impose a long-term suspension or expulsion, you may appeal my decision to the Superintendent of the Greater Fall River School District within ten (10) calendar days from the date the long-term suspension becomes effective. M.G.L. c 71 §37H. Pending any such appeal, the terms and conditions of my decision shall remain in effect.

If you have any questions about this matter, please contact me directly.

Sincerely,
LONG-TERM SUSPENSION/EXPULSION DECISION AFTER FORMAL DISCIPLINE HEARING

Dear

On _____, your child was alleged to have ________. Subsequent to the allegations, your child was informed of the violations of school rules with which he/she was charged and was provided with the opportunity to respond thereto. Based on the information presented at the informal hearing, a preliminary determination was made of your child _____ and he/she was suspended for an interim period of ______ pending further disciplinary proceedings.

In accordance with the prior written notice provided to you, a formal hearing to consider your child's long-term suspension or expulsion was conducted in my office on ____. Based on the evidence presented at the hearing, I have determined your child did, on _____, _____ in violation of the Greater Fall River School District' policies, The ____ School's student code of conduct, and Massachusetts law. M.G.L. c.71, §37H. Your child's _______ is an extremely serious offense which compromises the safety of your child's fellow students and school staff, as well as the orderly educational environment of the school.

After careful consideration of the information presented at the formal hearing, I have determined your child will be long-term suspended from ______ to _____ from school/expelled. M.G.L. c. 71, §37H. As a result of this exclusion, your child is prohibited from trespassing on school grounds and from attending school sponsored events and activities, except as set forth in the school's Education Service Plan. Because your child is subject to exclusion from school for more than ten (10) consecutive school
days, he/she has the opportunity to receive educational services during his/her period of removal. Please find enclosed the school's Education Services Plan, which provides a list of the specific education services available during your child's removal from school and contact information for school personnel who will be able to provide you more information about accessing such services.

Please be advised you have the right to appeal my decision in this matter to the Superintendent of Schools within ten (10) calendar days of your receipt of this correspondence. Upon receipt of any such appeal, the Superintendent will schedule and conduct a hearing at which your child will have the right to be represented by an attorney (at private expense) and to present evidence and witnesses in support of his/her appeal. Pending the Superintendent's hearing and decision, however, the terms and conditions of the disciplinary sanction I am hereby imposing shall remain in full force and effect.

Sincerely,
Diman Regional Vocational Technical High School

2022-2023
(Updated February 2023)

Student Restraint Procedures
* 2016 MA Regulations
* Overview of Procedures
* Sample Reporting Forms
603 CMR 46.00:

Prevention of Physical Restraint and Requirements If Used:

46.01: Authority, Scope, Purpose and Construction
46.02: Definitions
46.03: Use of Restraint
46.04: Policy and Procedures; Training
46.05: Proper Administration of Physical Restraint
46.06: Reporting Requirements
46.07: Effective Date


46.01: Authority, Scope, Purpose and Construction

(1) Authority. 603 CMR 46.00 is promulgated by the Board of Elementary and Secondary Education pursuant to M.G.L. c. 69, § 1B, and c. 71, § 37G.

(2) Scope. 603 CMR 46.00 governs the use of physical restraint on students in publicly funded elementary and secondary education programs, including all Massachusetts public school districts, charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h). Educational programs in facilities operated by the Department of Youth Services, the Department of Mental Health, the Department of Public Health, or County Houses of Correction shall be governed by the restraint, seclusion, and time-out requirements of such agencies.

(3) Purpose. The purpose of 603 CMR 46.00 is to ensure that every student participating in a Massachusetts public education program is free from the use of physical restraint that is inconsistent with 603 CMR 46.00. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

a. To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
b. To prevent or minimize any harm to the student as a result of the use of physical restraint.
(4) Construction. Nothing in 603 CMR 46.00 shall be construed to limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Nothing in 603 CMR 46.00 precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

46.02: Definitions

As used in 603 CMR 46.00, the following terms shall have the following meanings:

**Commissioner** shall mean the commissioner of the Department of Elementary and Secondary Education appointed in accordance with G.L. c.15, §1F, or his or her designee.

**Consent** shall mean agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.

**Department** shall mean the Department of Elementary and Secondary Education.

**Mechanical restraint** shall mean the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

**Medication restraint** shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.
Parent shall mean a student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

Physical escort shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Principal shall mean the instructional leader or headmaster of a public education school program or his or her designee. The board of directors of a charter school or virtual school, or special education school or program approved under 603 CMR 28.09, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.

Prone restraint shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

Public education programs shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term "programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within the Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

School Working Day shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

Time-out shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a
student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

46.03: Use of Restraint

(1) Prohibition.

a. Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.

b. Prone restraint shall be prohibited in public education programs except on an individual student basis, and only under the following circumstances:
   o The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
   o All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
   o There are no medical contraindications as documented by a licensed physician;
   o There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
   o The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
   o The program has documented 603 CMR 46.03(1)(b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.

c. Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

d. All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

(2) Physical restraint shall not be used:

a. As a means of discipline or punishment;

b. When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

c. (c) As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when
those actions do not constitute a threat of assault, or imminent, serious, physical harm; or

d. (d) As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

(3) Limitations on use of restraint. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

(4) Referral to law enforcement or other state agencies. Nothing in these regulations prohibits:

a. The right of any individual to report to appropriate authorities a crime committed by a student or other individual;

b. Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detention of a student or other person alleged to have committed a crime or posing a security risk; or

c. (c) The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

46.04: Policy and Procedures; Training

(1) Procedures. Public education programs shall develop and implement written restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention. Such policy and procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students. Such policy and procedures shall include, but not be limited to:

a. Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;

b. Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;

c. A description and explanation of the program’s alternatives to physical restraint and method of physical restraint in emergency situations;

d. A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;

e. A description of the program’s training requirements, reporting requirements, and follow-up procedures;
f. A procedure for receiving and investigating complaints regarding restraint practices;


g. A procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6);


h. A procedure for implementing the reporting requirements as described in 603 CMR 46.06;


i. A procedure for making reasonable efforts to orally notify a parent of the use of restraint on a student within 24 hours of the restraint, and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint; and,


j. If the program uses time-out as a behavioral support strategy, a procedure for the use of time-out that includes a process for obtaining principal approval of time-out for more than 30 minutes based on the individual student’s continuing agitation.

(2) Required training for all staff. 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. Training shall include information on the following:


a. The role of the student, family, and staff in preventing restraint;


b. The program’s restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;


c. Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;


d. (d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;


e. Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and


f. Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

(3) In-depth staff training in the use of physical restraint. At the beginning of each school year, the principal of each public education program or his or 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 participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based
and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

(4) Content of in-depth training. In-depth training in the proper administration of physical restraint shall include, but not be limited to:

   a. Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
   b. A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
   c. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
   d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
   e. Demonstration by participants of proficiency in administering physical restraint; and,
   f. Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

46.05: Proper Administration of Physical Restraint

(1) Trained personnel. Only public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

(2) Use of force. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

(3) Safest method. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.
(4) Duration of restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

(5) Safety requirements. Additional requirements for the use of physical restraint:

a. No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.

b. Restraint shall be administered in such a way as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

c. If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

d. Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

e. After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

46.06: Reporting Requirements

(1) Circumstances under which a physical restraint must be reported. Program staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

(2) Informing the principal. The program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent or board of trustees for review. The principal or director or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.
(3) Informing parents. The principal or director of the program or his/her designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

(4) Contents of report. The written report required by 603 CMR 46.06(2) and (3) shall include:

a. The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).

b. A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.

c. A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.

d. Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

e. Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

(5) Individual student review. The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:
a. review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;

b. analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;

c. consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;

d. agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent or board of trustees shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

(6) Administrative review. The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

(7) Report all restraint-related injuries to the Department. When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

(8) Report all physical restraints to the Department. Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

46.07: Effective Date
The effective date of 603 CMR 46.00, as amended, is January 1, 2016.
Diman Regional’s Restraint Process

The Diman Regional Vocational Technical High School Restraint Procedures reflect policy based on the 2014 and 2016 revised Massachusetts regulations. These regulations implement 603 CMR 46.00 (regulation directing procedures involving Prevention of Physical Restraint and Requirements if Used) which went into effect January 1, 2016. Diman’s procedures follow the guidance provided by the Massachusetts Department of Elementary and Secondary Education Technical Assistance Advisory 2016-01. This advisory provides guidance concerning the difference between the prohibited practice of seclusion and the approved use of time-out as a behavioral support strategy as set forth in amendments to 603 CMR 46.00, Prevention of Physical Restraint and Requirements if Used, effective January 1, 2016.

Diman Regional’s restraint procedures reflect the district’s belief that any form of restraint is to be used as a last resort. Underlying Diman’s process is the grounding of instruction and school structures in a focus on students developing not only academic and vocational skills but also developing the key competencies of social emotional learning (SEL). Using components of the Massachusetts Multi-Tiered System of Support as well as the work of the Collaborative for Academic, Social and Emotional Learning (CASEL), Diman Regional’s instructional settings embed activities and direct supports “…to enable students to acquire and effectively apply the knowledge, attitudes and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions.” (MA DESE MTSS, Blueprint for MA)

Diman Regional’s SEL focus dovetails with its focus on exiting the high school with skill sets needed for post-secondary goals set and revisited annually through the Post-Secondary Transition Planning process used to develop each Individual Education Program (IEP) at Diman. Supporting the student’s vision of post-secondary life, and necessary for any individual’s successful transition from school to adult life, the following key competencies are stressed across grades and programs:

- Self-awareness
- Self-management
- Responsible decision making
- Relationship skills
- Social awareness

Diman Regional’s overall view of restraint is not only that it is used as a last resort but also that it can usually be the result of a failed support system for students whose ability to self-regulate has not yet developed to the point of internalizing the 5 SEL competencies. The procedures put in place currently are seen as enabling Diman Regional’s staff to prepare in advance of
potentially dangerous situations or circumstances, with minimization of results which might further impede the student’s behavioral progress.

### Use of Restraint

Diman Regional’s guiding principles regarding restraint reflect the focus of 603 CMR 46.00:

- Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort and shall be prohibited at Diman Regional except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.
- Physical restraint will be used only when needed to protect a student or member of the Diman Regional community from immediate, serious harm.
- Physical restraint will be provided in such a way to prevent or minimize any harm done to the student as a result of the restraint technique.
- Physical restraint is prohibited at Diman Regional as a method of punishment, as a response to property destruction, refusal to comply with a staff directive or school rule, or verbal threats that do not constitute an immediate, serious physical harm to the student or to others.

Definitions of restraint are as follows:

- **Physical restraint** is defined as direct physical contact that prevents or significantly restricts a student’s freedom of movement. Physical restraint does not include:
  - brief physical contact to promote student safety;
  - providing physical guidance or prompting when teaching a skill;
  - redirecting attention;
  - providing comfort;
  - a physical escort.

Staff involved have completed the 16-hour in-depth training.

- **Physical escort** is defined as a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a
safe location. Staff involved have completed the 16-hour in-depth training.

- **Mechanical restraint** is defined as the use of any device or equipment to restrict a student's freedom of movement and is prohibited as of January 1, 2016. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

- **Prone restraint** is defined as a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position. Staff involved have completed the 16-hour in-depth training.

- **Seclusion** is defined as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion options at Diman Regional does not include a time-out, defined as follows. Staff involved have completed the 16-hour in-depth training.

- **Time-out** is defined as a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, the student is continuously observed by a staff member in an area that is clean, safe, sanitary, and appropriate for the purpose of calming. Time-out at Diman Regional stops as soon as the student has calmed. The student is then assisted to return to the classroom or shop setting. Staff involved have completed the 16-hour in-depth training.

**NOTE:** Only staff who have completed the 16-hour in-depth training can implement any type of physical restraint. Only restraint techniques taught and demonstrated during the 16-hour in-depth training are used by Diman Regional staff.
If a student at Diman Regional engages in challenging behavior, the school support options are expected to be accessed by the staff either observing or engaged with the student during the behavioral events. These include contacting:

- School Psychologist
- Guidance Counselor
- Diman Regional’s Student Success Team
- Director of Special Education (if student has IEP)

**Restraint Training**

Diman staff and administrators annually receive training on:

- Diman Regional’s Restraint Policy;
- Diman Regional’s prevention and behavioral support procedures;
- Individual staff are trained in any developed individual crisis planning or strategies for individual students scheduled for their classrooms or shops;
- Methods used at Diman Regional to prevent the need for physical restraint, including alternatives to restraint;
- Types/definitions/demonstrations of restraints and safety considerations for each one;
- The impact of known or suspected trauma history in addition to the student’s needs/limitations in relationship to use of restraint;
- Required documentation and reporting including review of forms;
- Members include: Principal, Assistant Principals, Director of Guidance, School Resource Officer, Guidance Counselor, School Adjustment Counselor, Security.

Members of the Diman Regional Crisis Intervention Team receive 16 hours or more of in-depth training that covers the following elements:

- Restraint prevention techniques including de-escalation techniques;
- How to identify specific dangerous behaviors;
- Demonstration of the experience of being restrained and restraining;
- Instruction on the impact physical restraint has on the student and family;
● Required demonstration of skills mastered during the training.

Following training, physical restraint is used at Diman Regional:

● Based on components of in-depth training;
● With at least 1 adult witness present to observe (3 adults total);
● Using only the amount of force necessary to protect the student or others;
● Using only the safest method and if prone is involved, only after all required steps are completed in advance.

Staff training will also include follow up for the use of any type of restraint at Diman Regional:

● The event leading up to the use of restraint is discussed with the student;
● The circumstances/process of the restraint used is discussed with the student;
● The discussion with the student focuses on identifying triggers, alternative responses to the situation and identifying any other contributing factors with the aim of identifying methods of avoiding the need for restraint in the future.
Restraint Reporting Requirements

Diman Regional’s restraint procedures include the following reporting requirements (46.06):

- Though prior requirements involved reporting any restraint lasting more than 5 minutes or if an injury occurred to student or staff, the revised regulations require that every restraint be reported. This requirement is included in the annual staff training.
- Assistant Principal of Student Affairs, is notified immediately of any restraint, with participants providing a written report to the Assistant Superintendent-Principal by the next school working day.
- Assistant Principal of Student Affairs, Assistant Superintendent-Director Principal or if the student has an IEP, the Director of Special Education notifies the parents/guardians verbally as soon as possible but no later than 24 hours after the event and by written report with 3 school working days.
- Diman Regional’s reporting procedure encourages student and parent comments and input.

Diman Regional’s Restraint Incident reporting form includes the following information:

- Name of student who was restrained;
- Names of adults who participated in the restraint and names of any observers;
- Names of whoever was informed of the restraint and the date/time that the individual(s) were informed;
- Date and time of the restraint event;
- A narrative description of what occurred before, during and after the restraint;
- A description of alternatives to restraint that were attempted;
- A description of the behavior(s) that prompted the restraint;
- A description of the restraint holds used and the rationale for their use;
- Documentation of any injury to students or staff;
A description of any further actions, including disciplinary consequences, that Diman Regional has taken or plans to take.

Diman Regional maintains a log of all reported instances where physical restraint was used. This log is used by both the Assistant Principal of Student Affairs, Crisis Intervention Team and Student Success Team to review incidents as well as other needs (school policies, increased support, referrals, etc.).

Assistant Principal of Student Affairs reviews restraint logs weekly. The result of this review can include a wider discussion with department heads/administrators/ Intervention Team members should individual students appear to be restrained multiple times. The Principal and Intervention Team members then discuss:

- The individual reports describing incidents, type of restraint and any comments provided by the student or parents/guardians;
- An analysis of the circumstances or situations that result in the perception that restraint is needed;
- Strategies to consider reducing or hopefully eliminating the need for physical restraint of any student under discussion;
- Outcome and decisions by the group results in the creation of a written action plan.

This administrative review is completed monthly with the goal of identifying any school-wide patterns and analyzing any common elements in incidents or perceived need for using physical restraint. As part of the review, any additional staff training is identified and arranged. The focus at Diman Regional is to continually identify and address any perceptions of organizational structures that might contribute to the need for physical restraint.

In addition to weekly log review and the monthly review of incidents, Diman Regional’s restraint procedure includes a process for timely reporting to the Massachusetts Department of Elementary and Secondary Education (DESE) via DESE Security Portal:

- Extended restraints – any restraint lasting 20 minutes or more.
- Injuries – any restraint incident that resulted in an injury to student or staff member(s).
- The report is sent to DESE within 5 school working days. Included in this report is a log reflecting reporting information on restraints for the past 30 days, prior to the current restraint which is being reported.
- Diman Regional follows through on any recommendation or directive received from DESE if a determination is made that additional action is required.

Sources for Diman Regional’s procedures and reporting form templates include:

- MA CMR 46.0
- MA DESE Physical Restraint Advisories and on-line training materials
- MA Multi-Tiered System of Support/MA Blueprint
- Collaborative for Academic, Social and Emotional Learning (CASEL) [http://casel.org](http://casel.org)

### Reporting Forms

What follows are templates for the restraint incident reporting requirements. The content of these forms were developed by Diman Regional staff in response to the revision of the 2014 regulations.
In accordance with MA CMR 46.00, within 24 hours of releasing a student with a disability from restraint or seclusion, an incident report must be completed. If the student’s release occurs on a day before the school closes for the weekend, holiday or natural disaster, the incident report must be completed by the end of the day the school reopens. A copy of the incident report must be sent to the parent/guardian within two (2) school days after the student was manually physically restrained or secluded.

Note: The incident reporting requirement is separate from the requirement in the law to notify the parent in writing on the day the incident occurred.

*Indicates a required field

*Student First Name: 

*Student Last Name: 

*Student Middle Name (initial): 

*Grade Level:  
Grade 9  □  Grade 10  □  Grade 11  □  Grade 12  □

*Race:  
□ White  
□ Black/African American  
□ Native Hawaiian/Other Pacific Islander  
□ Asian  
□ Two or more Races

*Ethnicity:  
□ Hispanic/Latino Origin  
□ Not Hispanic/Latino Origin
*Gender Identifies as:  ☐ Male  ☐ Female  ☐ Non-binary

*Primary Disability – This section should only offer the Section 504 Plan and then listing using MA terms (ex. We don’t say Traumatic Brain Injury. MA says Neurological impairment.) Just copy from the MA list.

*Date of Incident:

*Start Time, restraint (HH:MM, AM/PM)

*End Time, restraint (HH:MM, AM/PM)

*Location at which restraint occurred:

☐ Vocational Shop  ☐ General Education Classroom
☐ Bus/Bus Zone  ☐ Bathroom
☐ Cafeteria  ☐ Hallway
☐ Courtyard  ☐ Off Campus
☐ Other

If other or off campus, please describe:


*Crisis Management Training Strategy Used (specific to this incident):

If other, please describe:

*Type of most restrictive restraint used:

- ☐ Seated
- ☐ Standing
- ☐ Prone (lying face down)
- ☐ Supine (lying face up)
- ☐ Immobilization while in transcript
- ☐ Mechanical

If mechanical, please describe:

*Person(s) using or assisting in restraint:

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Position</th>
</tr>
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<tbody>
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</tbody>
</table>

Non-student witnesses:

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>
*Indicates what was happening before the restraint occurred (check all that apply)

☐ Given a direction
☐ Interacting with peers
☐ Given/serving a consequence
☐ Faced with unexpected change
☐ Transitioning to another activity
☐ Seeking attention
☐ Presented work
☐ Other

*Describe:

*Indicate the behavioral strategies used to prevent/de-escalate the behavior (check all that apply)

☐ Offered choices/preferred activity/breaks
☐ Praised/encouraged
☐ Verbally prompted/redirected
☐ Environment change
☐ Visually prompted/redirected
☐ Blocked behavior
☐ Provided reinforcers
☐ Other

*Describe:
*Indicate the behavior that warranted the use of restraint (check one only)

☐ Verbal threat/aggression   ☐ Unsafe behavior (ex. Climbing furniture)
☐ Self-injurious behavior   ☐ Running away
☐ Physical aggression       ☐ Property destruction
☐ Other

*Describe:

*Indicate who was at risk of immediate physical harm (check all that apply)

☐ The student
☐ Other students
☐ Adults

*How was it determined there was imminent risk of serious injury or death to the student or others?

*Describe:

*Indicate what occurred with the student immediately after termination of the restraint (check all that apply)

☐ Debriefing/problem solving   ☐ Removal by parent
☐ Environment change          ☐ Behavior escalated
☐ Return to activity/situation ☐ Removal by law enforcement

*Describe:
*Did the **student** have any injuries, visible marks or medical emergencies occur during the use of restraint?

☐ Yes ☐ No

If yes, describe:

*Did **anyone else** (other students or adults) have any injuries, visible marks or medical emergencies occur during the use of restraint?

☐ Yes ☐ No

If yes, describe:
RESTRAINT Incident Report

Keep a copy of the report for your records. Sign and return this page to Diman Intervention Coordinator.

Student First Name: 

Student Last Name: 

Student Middle Name (initial): 

Date of Birth: 

Date of Incident: 

Time of Incident: 

I acknowledge receipt of the incident report.

Parent Signature: 

Today’s Date: 

Updated February 2023
Paraprofessional Responsibilities and Procedures in a Vocational Setting

Paraprofessional Assignments (based on current freshmen, sophomores, juniors, & seniors 2022/2023)

**Shop Clusters**

<table>
<thead>
<tr>
<th>Cluster One</th>
<th>Cluster Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Medeiros - Home Base - Culinary Arts</td>
<td>Steven Cunha– Home Base - Program &amp; Web Development</td>
</tr>
<tr>
<td>ELA Classroom C205 - Period 6 (A Day/A Week)</td>
<td>Electronics Shop Grade 10</td>
</tr>
<tr>
<td>ELA Classroom C211 - Period 5 (A Day/B Week)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Cluster Three</th>
<th></th>
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<tbody>
<tr>
<td>Patricia Tolan - Home Base - Auto Collision</td>
<td></td>
</tr>
<tr>
<td>Dental Shop - Grade 11 (A Week)</td>
<td></td>
</tr>
<tr>
<td>Dental Shop - Grade 10 (B Week)</td>
<td></td>
</tr>
<tr>
<td>Biology Classroom C102 - Period 4 (A Day/A Week)</td>
<td></td>
</tr>
<tr>
<td>Biology Classroom C102 - Period 4 (A Day/B Week)</td>
<td></td>
</tr>
</tbody>
</table>

- Paraprofessionals are under the direction of the Director of Special Education, Mrs. Debbie Pacheco.
- Paraprofessionals in the vocational setting will work directly with the vocational instructor assigned to their students’ grade level.
- Paraprofessionals will have access to a student’s liaison when there are questions regarding a student’s accommodations and/or modifications, and are encouraged to communicate with both the vocational instructor and the special education liaison assigned to individual students.
- For freshmen students on IEPs paraprofessionals will also have access to the special education technical instructor, Mrs. Mindy Gauthier, who will be responsible for consulting with vocational instructors in regards to the expectations of PLEP B of a freshman student’s IEP.
- Paraprofessionals may be required to collect data towards student achievement of goals. The data collection tool will be provided by the student’s liaison.
- Clear and effective communication is necessary between the paraprofessional, the vocational instructor, and the student’s liaison in order to provide students with appropriate and effective accommodations and/or modifications.
- Paraprofessionals are present to observe and supervise students during learning and task completion. Students are expected to learn to complete tasks with the least amount of physical and/or verbal instruction; however, paraprofessionals will provide repetition and review as necessary to ensure student safety, comprehension, and guide students towards independence.
Responsibilities of a Paraprofessional:

1. **Vocationally:** Instructors will work with paraprofessionals to ensure that required skills needed for assistance/instruction are understood.
   
   a. Assist the primary vocational instructor with teaching activities and production activities.
   
   b. Demonstrate safety practices and procedures in accordance with the shop program.
   
   c. Monitor students when operating tools and equipment.
   
   d. Monitor safety practices and procedures.
   
   e. Support and assist in the enforcement of school and district rules.
   
   f. Conduct individual and/or small group instructional activities when directed to do so by the instructor.
   
   h. Be familiar with appropriate instructional materials as they pertain to shop placement.

2. **Support and Collaboration** – The paraprofessional has an understanding of the respective roles and responsibilities of licensed staff (teachers, administrators, education specialists, etc.) in supporting students and collaborating with each other.
   
   a. Support the integration of students with disabilities into general education programs.
   
   b. Provide assistance with individualized instruction through various instructional strategies.
   
   c. Assist students according to directions given by the teacher.
   
   d. Serve as a proctor during testing as appropriate.
   
   e. Assist the teacher in preparing necessary instructional materials.
   
   f. Follow written and oral directions.
   
   g. Organize time, materials, and workspace.
   
   h. Practice ethical and professional standards of conduct, including confidentiality.
   
   i. Apply work-related legal issues concerning the education of youth.
   
   j. Follow work-related health, safety, and emergency procedures.

3. **Communication** – The paraprofessional has the ability to communicate with colleagues, follow instructions, and use problem-solving and other skills that will enable him/her to work as an effective member of the instructional team.
   
   a. Interact effectively in the workplace.
   
   b. Recognize, describe, and report student behavior and academic progress to the teacher.
   
   c. Impart information at the child's level of comprehension.
   
   d. Use of a variety of technological tools to communicate.

4. **Growth and Development of Children and Youth** – The paraprofessional has an understanding of the various development stages of children and youth.
a. Recognize patterns of human development and benchmarks typically achieved at different ages, as related to instruction.
b. Recognize risk and environmental factors that may prohibit or impede typical development, as related to instruction.
c. Recognize the expected behavior of children and youth.

5. **Behavior Management** – The paraprofessional has the ability to assist in supporting and managing positive student behavior.

   a. Assist in basic shop management.
   b. Establish positive relationships with students.
   c. Supervise students in the shop and other locations.
   d. Promote student self-esteem.
   e. Model and assist the instruction of citizenship, social skills, and respect for others.
   f. Assist with mediating minor student conflicts.
   g. Describe student behavior and report characteristics and changes to the teacher and/or administrator
   h. Redirect inappropriate behavior through approved methods.

6. **Instructional Strategies** – The paraprofessional has knowledge of and can assist the teacher in applying the elements of effective instruction.

   a. Use appropriate strategies and techniques to provide instructional support.
   b. Use correct English, spelling, grammar, and punctuation.
   c. Conduct small group instruction as prescribed by the teacher.
   d. Provide individualized instruction as prescribed by the teacher.
   e. Demonstrate various instructional activities as prescribed by the teacher.
   f. Assist the teacher with planning and organizing instructional activities and developing shop procedures.

7. **Diversity** – The paraprofessional has an awareness of and respect for diversity among children, youth, families, and colleagues.

   a. Demonstrate an awareness of and respect for how diversity affects student learning.
   b. Demonstrate an awareness of student disabilities by category. To include –
      
      i. **Specific Learning Disability** - Specific learning disability is defined as follows:

      1. (i) General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

      2. (ii) Disorders not included. The term does not include learning problems that are primarily the result of visual, hearing, or motor
disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage

ii. Autism - A developmental disability significantly affecting verbal and nonverbal communication and social interaction.

iii. Health Impairment - A chronic or acute health problem such that the physiological capacity to function is significantly limited or impaired and results in one or more of the following: limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli resulting in limited alertness with respect to the educational environment. The term shall include health impairments due to asthma, attention deficit disorder, or attention deficit with hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, if such health impairment adversely affects a student's educational performance.

iv. Intellectual Impairment - The permanent capacity for performing cognitive tasks, functions, or problem solving is significantly limited or impaired and is exhibited by more than one of the following: a slower rate of learning; disorganized patterns of learning; difficulty with adaptive behavior; and/or difficulty understanding abstract concepts.

v. Neurological Impairment - The capacity of the nervous system is limited or impaired with difficulties exhibited in one or more of the following areas: the use of memory, the control and use of cognitive functioning, sensory and motor skills, speech, language, organizational skills, information processing, affect, social skills, or basic life functions. The term includes students who have received a traumatic brain injury.

vi. Sensory Impairment - The term shall include the following:

1. Hearing — The capacity to hear, with amplification, is limited, impaired, or absent and results in one or more of the following: reduced performance in hearing acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditory-presented information in the education environment. The term includes students who are deaf and students who are hard-of-hearing.

2. Vision — The capacity to see, after correction, is limited, impaired, or absent and results in one or more of the following: reduced performance in visual acuity tasks; difficulty with written communication; and/or difficulty with understanding information presented visually in the education environment. The term includes students who are blind and students with limited vision.

3. Deaf-Blind — Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.
vii. **Communication Impairment** - The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; conveying, understanding, or using spoken, written, or symbolic language. The term may include a student with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the student's educational performance.

viii. **Emotional Impairment** - As defined under federal law at 34 CFR §300.7, the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems. The determination of disability shall not be made solely because the student's behavior violates the school's discipline code, because the student is involved with a state court or social service agency, or because the student is socially maladjusted; unless the Team determines that the student has a serious emotional disturbance.

ix. **Physical Impairment** - The physical capacity to move, coordinate actions, or perform physical activities is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: physical and motor tasks; independent movement; performing basic life functions. The term shall include severe orthopedic impairments or impairments caused by congenital anomaly, cerebral palsy, amputations, and fractures if such impairment adversely affects a student's educational performance.

c. Recognize how ethnic and cultural differences affect and enrich the school and community.

d. Apply discipline techniques impartially and consistently.

e. Know the school organization and its community.

f. Support high expectations for all students.

8. **Technology** – The paraprofessional has knowledge and skills necessary to support instruction using technology.

   a. Use computers, software, and related information technology devices.

   b. Use assistive technology, when applicable.

   c. Operate audiovisual equipment.

   d. Assist students in using hardware, software, and other information technology.
e. Use administrative and technical skills necessary to assist the implementation of programs.

f. Vocational/Technical technology utilized within the shop setting known to the paraprofessional.

The Paraprofessional is not responsible for the following:

- The paraprofessional cannot represent himself/herself as a qualified teacher/service provider or be used as a substitute for a qualified teacher/service provider unless he/she possesses the appropriate certification/licensure to function as a substitute and is hired as a substitute.
- The paraprofessional cannot rewrite curriculums.
- The paraprofessional cannot create new, alternative instruction without the direction of the teacher or other certified personnel.
- The paraprofessional cannot implement behavior ideas without the direction of the teacher or other certified personnel.
- The paraprofessional cannot take complete responsibility for any students.
- The paraprofessional does not provide direct instruction, does not introduce a student to new skills, concepts, or academic content.
- The paraprofessional cannot participate in parent conferences, student conferences, or any interdisciplinary teams in place of the supervising teacher/service provider.
- The paraprofessional cannot communicate with the individual with learning disabilities \[PD2\] family, or others, regarding any aspect of the student’s status or service without the specific consent of the supervising teacher/service provider or provide student or family counseling.
- The paraprofessional cannot disclose educational, clinical, or confidential information either orally or in writing to anyone not designated by the supervising teacher/service provider.
Procedure for Virtual IEP Team Meetings

As a result of COVID-19, Diman Regional has instituted a virtual IEP Team Meeting process so all stakeholders, including both parent and student, can participate safely in development of Individualized Educational Programs (IEP). The virtual platform selected by the school is “Google Meet” but Diman will accommodate each family on their virtual platform preference as much as possible.

The following outlines Diman’s best practice process for conducting a Virtual IEP Team Meeting:

1. Identify and define the role of the meeting’s Facilitator:
   
   a. Every virtual IEP Team meeting has an identified Facilitator selected prior to the meeting. At Diman Regional Vocational Technical High School, Facilitators are either the Director of Special Education or the Special Education Team Chair. The Facilitator is made known to participants. The Facilitator directs the conversation, shares participation guidance (how to indicate you’d like to speak, being respectful, etc.), ensures participants adhere to the purpose of the meeting (re-evaluation, eligibility, IEP review/update, placement discussion, etc.), obtains a volunteer timekeeper and is responsible to implement any next step or follow up activities.

2. Diman Regional participant should ensure the following:
   
   a) Pre-test to ensure tech is working (e.g., cameras on, mike on, speakers/headset working).
   
   a) Preview camera shot to ensure there is a work-appropriate background (e.g., remove personal items, ensure no window/light glare from behind, etc.)

   b) Attend the virtual meeting from a quiet and confidential area that has minimal background noise and movement.

   c) Mute your audio when you are not speaking. To help avoid distracting sounds, conversations, or noises that are not applicable to the virtual meeting, the mute button can be a useful tool.

   d) Keep background noise to a minimum. When you take your audio off mute to engage in the discussion, make sure that you are not distracting the other participants. Refrain from engaging in discussion with others within your physical vicinity. Avoid eating and drinking and be conscious of your body language. Mute messaging applications, ringtones, and applications running on any personal devices nearby.

   e) If your platform allows for name and role to be visible within your frame, ensure your sign-in includes both name and role. State your name and role before speaking if frame identity is not available on the platform. Since the virtual meeting attendees are not all in the same room, it is important for others on the line to know who is speaking so that they can better understand the context of your comments.

3. Utilize the chat box for additional relevant questions, clarifications, and comments.

   a) When typing a comment, ensure you begin by addressing the targeted participant unless your intent is to involve the group.
   
   b) Remember that comments can be considered part of the student record and as a document can be accessed through some legal procedures so ensure any chat discussion is relevant to the topic at hand.