



Boston Renaissance Charter Public School Special Education Policies and Procedures Manual

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- B. [Authorization for Release of Confidential Information](#)
- C. [DESE Guidance on School Bullying and Intervention](#)
- D. [DESE Q & A Home and Hospital Services](#)
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 - a. [Student Data Tracker](#)
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Introduction

Welcome to the Boston Renaissance Charter Public School's Special Education Policy and Procedural Manual written for all stakeholders including students, families, district staff, and partners. For additional information on Massachusetts Charter Schools and special education, please see the [MA Primer on Special Education and Charter Schools](#).

Boston Renaissance Charter Public School (BRCPS) is committed to the enrichment of special education and related services to ensure that our students are learning in the least restrictive environment appropriate to meet their individual needs and that all students, regardless of disability status, receive the services they need. BRCPS is committed to shifting the mindset to reflect that special education is a service, not a placement. BRCPS ensures that students are educated in the least restrictive environment and that there is a full continuum of services available for all students to address complex needs. BRCPS's vision is that our students on Individualized Education Programs (IEP) will have equitable opportunities to engage in innovative, high quality instruction in the least restrictive environment as appropriate to meet individual needs, empowering each student to achieve at high levels, leading to post-secondary success. BRCPS's Student Services Department will continue to expand inclusive practices across the district and commits to sharing resources and guidance documents with families as part of BRCPS's effort to increase the level and quality of outreach to partners and families, with a focus on culturally and linguistically diverse families.

Federal and state laws and regulations guarantee a free, appropriate public education (FAPE) in the least restrictive environment (LRE) to every student with a disability who is eligible for an IEP. To assist with conferring a meaningful educational benefit to every child with an IEP, BRCPS collaborates with families, communities, and state agencies to promote improved academic and functional outcomes, self-determination, and regulatory compliance. BRCPS is focused on accelerating positive outcomes for



students with disabilities through equity-based inclusive practices. Our goal is to provide each student on an IEP with the individualized instruction and related services needed to help facilitate success in school and in life, delivered in an educational setting with their non-disabled peers to the maximum extent appropriate.

This Manual describes the practices and procedures that all school staff, including general and special educators and administrators, must use to properly identify students eligible for IEPs and to address the learning needs of students on IEPs in the most inclusive, least restrictive environment appropriate to meet an individual student's needs. All personnel responsible for the implementation or coordination of special education evaluations and services must become familiar with these practices and procedures as well as use the forms referenced in this Manual, while always being mindful of the connection between this Manual and BRCPS's overall efforts to increase inclusive learning opportunities for students with disabilities. BRCPS will review this Manual at least annually, which may result in revisions to content and/or forms. BRCPS will notify staff of any changes. An accompanying Manual for Families, written in family friendly language and translated, is forthcoming.

Thank you for all that you do to make sure that our students with disabilities have access to a high quality education at Boston Renaissance Charter Public School.

Special Education Vision

The Student Services Department of Boston Renaissance Charter Public School aims to serve all students of the Renaissance community with equitable opportunities and high-quality instruction in the least restrictive environment through quality collaboration and compliance with special education and civil rights policies. The Student Services department implements procedures and practices to ensure all students have access to and actively engage in the high quality specially designed instruction opportunities to succeed as students and develop life long habits and skills that enable them to reach their fullest potential.



Authority

The practices and procedures included in this Manual align with the Individuals with Disabilities Education Act (IDEA), 34 C.F.R. Part 300, M.G.L. ch. 71B, and 603 CMR 28.00 et seq. Required forms and documents can be found in the Appendix section of this manual.

Multi-Tiered Systems of Support (MTSS)

MA DESE provides a number of resources about MTSS that are linked here:

<https://www.doe.mass.edu/sfss/mtss/>. These resources explain that MTSS is a framework for how school districts can build the necessary systems to ensure that each and every student receives a high-quality educational experience. It is designed to support schools with proactively identifying and addressing the strengths and needs of all students by optimizing data-driven decision-making, progress monitoring, and the use of evidence-based supports and strategies with increasing intensity to sustain student growth. In 2018, Massachusetts updated its MTSS Blueprint, with the current MTSS model in Massachusetts more explicitly focusing on equitable access and universal design for learning (UDL) and fully integrating social emotional, behavioral, and academic learning.

MTSS provides a continuum of supports which typically are conceptualized across three levels of increasing intensity. The three tiers of a multi-tiered system represent the level of support a student may need at any point in his/her/their schooling. All tiers are universally designed using the principles of UDL and ensure equitable access for all students. UDL is intended to increase access and engagement in learning by reducing physical, cognitive, intellectual, and organizational barriers, as well as other obstacles. Instructional goals, through the UDL lens, focus on standards-based instruction and the design of instruction that allows all students to have equitable access to grade-level standards in learning experiences that are engaging and personalized to their needs. UDL principles also lend themselves to implementing inclusionary practices in the classroom, including behavioral and social emotional teaching and learning. Within the MTSS model, universal supports such as high quality, universally designed, culturally



sustaining, and evidence-based curriculum, instruction, and assessments are provided for all students.

Tier 1 is Universal Support, Tier 2 is Targeted Support, and Tier 3 is Intensive Support. All students receive challenging, grade-appropriate Tier I instruction through a general education program and have equitable access to high quality, universally designed academic, behavioral, and social emotional curriculum and instruction that integrates culturally sustaining pedagogy and is linguistically responsive. Tier 2 supports are in addition to the supports provided in Tier 1 settings and generally are done in small groups and include additional opportunities to practice skills. Tier 3 provides more intensive support that typically occurs individually or in very small groups. Tier 3 supports are not synonymous with special education, and students with and without disabilities may need Tier 3 supports.

To ensure equitable access, districts must recognize all students as general education students first, and recognize diversity and inclusion as a necessary good. As a result, the focus of MTSS should be on creating strong Tier 1 systems and supports that are supplemented, not replaced, by Tier 2 and Tier 3 supports. All students, regardless of disability, English language proficiency status, income, race, or academic performance can receive Tier 1, 2, and 3 services. Movement amongst the three tiers is fluid and is not determined or defined by specific designations, such as diagnosed disabilities. Rather, movement is supported by data from universal screeners, diagnostic assessments, progress monitoring, and how a student responds to one level of intervention. A general educator's use of universal screening tools with all students can reliably identify potential areas of concern and allow educators to more proactively implement just-in-time supports in the less restrictive general education classroom.

While BRCPS seeks to support academic, behavioral, and social emotional success in the general education setting before the school considers referring a student for an evaluation to determine eligibility for special education and/or related services, there are two important caveats: (1) If a disability is clearly evident or suspected and known to be causing learning problems, then a referral for an evaluation to determine eligibility for special education and/or related services should be made promptly and (2) A parent's right to refer their child for a special education evaluation is not limited and never should be because the school district has not fully explored and/or attempted



some or all of the available instructional support programs or any other type of interventions such as a Multi-Tiered System of Support (MTSS).

Provision of instructional support services and their results must be documented and placed in a student's record. If an individual student is referred for an evaluation to determine eligibility for special education and/or related services, the principal shall ensure that documentation about the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining IEP eligibility.

Child Find

"Child Find" is an affirmative legal obligation that requires Boston Renaissance Charter Public School to identify, locate, and evaluate all children with disabilities within the school community. This obligation extends to all students who attend including, homeless students, students who are wards of the State, students with suspected disabilities even though they are advancing from grade to grade, and highly mobile children including migrant children. The Child Find process is designed to identify children who have a disability, or are suspected of having a disability, and may need special education and/or related services.

Kindergarten Screening

Kindergarten screening requirements in the state fall under Special Education regulations. BRCPS is required to screen three- and four-year old children and all children who are of age to enter kindergarten. The screening is designed to review a child's development and to assist in identification of those children who should be referred for an evaluation to determine eligibility for special education services. Participation in the screening program for three and four year olds shall be optional on the part of the parents. Screenings include and are not limited to; Vision, Hearing, Posture, Height, Weight, Speech + Language, and Academics (SE 16 – 603 CMR 28.03(1)(d)).



Child Study Team (CST) - Process

What is the Child Study Team (CST)?

The Child Study Team (CST) meets to determine how best to support students so that they succeed in the classroom. It is a general education initiative in which students are referred to by concerned staff members to discuss areas of need and develop strategies to support the student in the classroom. Boston Renaissance Charter Public School employs a comprehensive team of professionals (School Psychologists, Social Workers, Occupational Therapists, Speech and Language Pathologists, Physical Therapists, Behavior specialist etc.) trained to support students in all areas. CST meetings are a place for all of these professionals to collaborate and identify strategies that can promote student success.

How is a student referred?

When a teacher notices a concern for a student, he/she is asked to do the following:

- Attempt different classroom strategies to prevent or remediate the problem.
- Notify the parent/guardian of the concern(s) and of the plan to make a referral to the grade level team (please note, permission is not required from a parent/guardian to refer a child at a CST meeting). The teacher should bring observations, attempted strategies, work samples and benchmark testing scores to the meeting.

What happens at Child Study Team (CST) meetings?

- The teacher that is referring a student will present their concerns to the grade level / CST team. The teacher must come prepared to the Child Study Team meeting with a completed Student Discussion Form (see *appendix*) documenting the student's strengths, weaknesses, areas of concern, testing scores, etc.
- Team members will ask questions and suggest different prevention and/or intervention strategies. All information discussed at the meetings remains **CONFIDENTIAL**.
- Team members then create an action plan through observations, screens, and collaboration.
- If the concern for the student is not academic in nature (speech, behavior, OT) the students' teacher should contact an OT, Speech or Counselor for support.

What are the possible outcomes from Child Study Team (CST) meetings?



- Suggested accommodations or strategies are tried in the classroom and documented for up to 4-6 weeks. If the student is responding successfully, no further action is needed at that time.
- After all screens, observations, and accommodations are complete, if necessary results are discussed at another grade level meeting and a meeting with the Intervention Specialist may be needed. This will be determined by the Lead Teacher and referring grade level teacher. When the teacher meets with the Intervention Specialist they should bring a completed CST Referral Form (see *appendix*).
- If the student continues to struggle, additional services will be recommended. These services may include: Special Education Evaluations (i.e. academic, speech and language, occupation therapy, etc.), in school counseling, referral to a community based agency for counseling or support, consultations with family medical professional, etc.

Staff member responsibilities following a Child Study Team (CST) meeting:

Staff Member:	Responsibilities:
Regular Education Teacher	<ul style="list-style-type: none"> - Implement strategies and suggestions that were discussed at the CST meeting. - Document students progress, or lack of progress - Complete any other necessary steps (i.e. call parents).
Special Education Teacher	<ul style="list-style-type: none"> - If the CST grade level team decides that the student referred should receive an academic screen or observation, the Special Education Teacher that is assigned to the grade level must complete the academic screen within two weeks from the referral. - Once the screen/observation is complete, results must be submitted to the Intervention Specialist.
Related Service Provider	<ul style="list-style-type: none"> - Complete a Regular Education and Special Education file review and verify hearing and Vision screen results. - If decided that the student being referred has Speech/Language, OT, or PT concerns, the appropriate related service provider will observe and/or screen the student to further understand their skills and areas of difficulty. - Once the screen/observation is complete, results must be presented at the CST Review Team meeting in writing.



Intervention Specialist	<ul style="list-style-type: none"> - Support Lead Teachers with the CST process. - Provide training to staff annually on CST process and support as needed. - Meet with teachers to guide and support intervention strategies. - Present student cases to the CST Review Team.
CST Review Team	<ul style="list-style-type: none"> - Meet to review student cases. - Make final determinations for next steps (continued regular education interventions, special education or 504 referral, additional teacher support, etc.).

Referral for Initial Evaluation

A referral for an evaluation to determine eligibility for special education services can be made by a variety of parties. In any case where the parent or person making a referral has concerns about the student's development or a suspicion that the student may have a disability, school districts must promptly send notice (**within five school days**) and seek permission to conduct an initial evaluation to determine if the student is eligible for special education. BRCPS does not limit a parent's right to refer a student for timely special education evaluation because BRCPS has not fully explored and or attempted some or all available instructional programs or other interventions available in general education.¹

Parent Request	Outside Evaluations	Teacher Request
-A request for an evaluation must be made directly to the Special Education Department, either in writing or a phone call to the Special Education Administrator. -Consent to test (see appendix) will be	-Any evaluations conducted by outside parties, must be submitted to the Special Education Office. -Within 10 school days a meeting will be scheduled with Team members and parents to discuss results.	-Complete CST form and meet with Intervention Specialist for further referral. -Provide student work samples. -Document any and all interventions and accommodations provided. -If the CST process determines to evaluate, a Consent to test (see appendix) will be sent home

¹ SE 24 – 603 CMR 28.04(1)



sent home within five school days indicating all areas to be assessed.	- If the Team decides that further testing is needed, a Consent to test (see appendix) will be sent home.	
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Evaluations

Consent to Test procedures

Please note, if a parent/guardian's first language is not English, all correspondence must be translated into their native language.

➤ Within **five (5) school days** of receiving the completed Referral for Evaluation Form, OR a request to evaluate from a parent or any person in a caregiving or professional position concerned with a student's development, the Special Education Team Chair sends out a packet to the parent consisting of the following:

- Proposal to conduct an Initial Team Evaluation (N1)
- Include description of assessments to be administered and opportunity to consult regarding evaluation process
- Evaluation Consent form (N1A)
- Notice of Procedural Safeguards

Parents must provide written consent to testing before testing can begin.

Upon receipt of the signed and accepted Evaluation Consent Form, the Special education Team Chair then will notify the assessors who will be completing the accepted evaluations.

In accordance with state and federal law, BRCPS obtains informed parental consent as follows:²

1. BRCPS 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

² SE 25 - 603 CMR 28.07(1)



reevaluation and before placing a student in a special education placement subsequent to the initial placement in special education.

2. BRCPS obtains consent before initiating extended evaluation services.
3. BRCPS obtains consent to the services proposed on a student's IEP before providing such services.
4. A parent is informed that consent may be revoked at any time. Except for initial evaluation and initial placement, consent may not be required as condition of any benefit to the child.
5. 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.
6. If, subsequent to initial evaluation and initial placement and after following the procedures required by the regulations, BRCPS is unable to obtain parental consent to a reevaluation or to placement in a special education program subsequent to the initial placement, or the parent revokes consent to such reevaluation or placement, BRCPS considers whether such action will result in the denial of a free appropriate public education to the child. If, after consideration, BRCPS determines that the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, it seeks resolution of the dispute through the Bureau of Special Education Appeals.

When Parent does not sign Consent for Initial Evaluation

If the parent/guardian does not return the Evaluation Consent Form within **thirty (30) days**, the Special Education Team Chair shall contact the parent/guardian to discuss any concerns. If, after ten (10) additional days, the parent/guardian does not respond, a **second** Evaluation Consent Form shall be sent by certified mail and regular mail. If the parent does not respond to the second Evaluation Consent Form proposing an initial evaluation, the Coordinator shall mark the consent form as rejected for non-response and ensure that attempts to obtain consent are documented. As a matter of Massachusetts law, a school district may not request a due process hearing before the Bureau of Special Education Appeals regarding a parent's failure or refusal to consent to an initial evaluation.



Testing Timeline

1. Parents receive Consent to Test (see *appendix*) and Procedural Safeguards (see *appendix*).
2. Parent signs Consent to Test (see *appendix*) and returns it to the Special education office (refer to the previous section (II. C.) for more information regarding what happens if a parent does not sign the Consent).
3. Evaluators receive notice to evaluate immediately after Consent is received
4. Evaluations are completed within 30 school days.
5. IEP Team meeting is scheduled within 45 school days of when the consent was received.
6. Evaluation reports are written and sent home to parents prior to the Team meeting
7. Team meeting is held
 - If parent does not show up, all reasonable efforts will be made to reschedule the meeting (offering the opportunity for a phone conference if necessary).
 - After reasonable attempts to reschedule a meeting, if the parent is unable to attend, a meeting will be held without parents and documents its attempts to facilitate the parent's participation.
8. Meeting notes are given to Parents, Teacher, and Service Providers directly after the meeting.
9. IEP is written within 3 school days following the meeting and submitted to the Special Education Department for review.
10. Two copies of the IEP are sent home within 10 school days, for the parent(s) to review and sign,
11. Once the IEP is signed and returned to the Special Education Department and services begin. (if not signed and received within 30 days, notice will be sent home repeatedly until signed as well as Notice to the Bureau of Special Education Appeals.

Consent Received at the End of the School Year

If consent is received:

- Within thirty (30) to forty-five (45) school days before the end of the school year, the district must ensure that a Team meeting is scheduled so as to allow for the provision of a proposed IEP or written notice of the finding of no eligibility no later than fourteen (14) days after the end of the school year.



Evaluation Components

Evaluations in All Areas of Suspected Disability

Evaluations of the student must be made in all areas of suspected disability in order to determine eligibility for special education and/or related services. **Eligibility cannot and must not be based on the student's lack of reading or math instruction or Limited English Proficiency.** Evaluation activities need to address whether there is a disability and if the student's inability to make effective progress is a result of a disability.

Evaluations must provide information to determine present levels of academic achievement and related developmental needs. No single test/assessment shall be used as the sole determinant of eligibility. Rather, a variety of techniques (both formal and informal) including information provided by the parent/guardian, observation of the student in the classroom, work samples/portfolios, interviews and review of the student's record should be used in helping to determine eligibility for special education services.

In addition, special education assessments and other evaluation materials used to evaluate an English Learner child must be "provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer."

When must an evaluation be made?

An evaluation for special education services must be made after the Special Education Administrator receives a signed copy of the Evaluation Consent Form (see *appendix*). Once the Administrator has received consent to evaluate a student, written notice is sent to all persons involved in the evaluation process, notifying them of the need to evaluate the student and the deadlines for evaluations and reports. All special education evaluations must be completed within 30 school days of receipt of the parent's signed consent. 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. In the event that consent to evaluate a student is received with 30-45 school days remaining in the school year, the Boston Renaissance Charter Public School will make every effort to schedule the Team meeting prior to the end of the school year. This will allow for a proposed IEP or a notice of service ineligibility to be provided to the parents no later than 14 days after the end of the school year³.

When the student's needs warrant it or a parent or teacher requests it, BRCPS, with parental consent, conducts a full reevaluation consistent with the requirement of federal law. BRCPS implements reevaluation procedures in all cases where it is suspected that a student is no longer eligible for special education.⁴

What are evaluations/re-evaluations used for?

The goal of each evaluation is to determine whether there is a disability and if this disability affects the student's academic progress. Additionally, evaluations should be used to help determine a student's present levels of performance as well as a student's developmental needs.

How are evaluations/re-evaluations performed?

Special education evaluations should be performed in all areas of a suspected disability (education, speech, cognitive, motor ability, etc.). Team members must observe the student in his/her typical classroom setting on at least two separate occasions in order to develop a sense of the child's classroom performance, needs, and difficulties. In order to determine a specific learning disability, an observation of the student must be performed by at least one of the Team members other than the student's teacher. After observations have been made, the evaluations must be:

- a. administered to the child in the language and form most likely to yield accurate information regarding the child's academic, developmental, and functional abilities, unless they are not possible to obtain and provide.
- b. performed in an isolated setting, free from distractions and other people; thus enabling the child to perform at his/her optimum level.
- c. scheduled with the student and the student's teacher(s) to arrange for the most appropriate time for the student to be removed from the classroom for the evaluation purposes.

³ SE 10 - 603 CMR 28.05(1)

⁴ SE 12 – 603 CMR 28.04: (3)



What assessments are used in an evaluation/re-evaluation?

Assessments are appropriately selected and interpreted for students referred for an evaluation.⁵

Required Assessments:

- Regular Education Teacher Assessment
- Specialist Assessments
 - These assessments include all assessments that pertain to any areas of concern related to the child's suspected disability (education, speech, OT/PT, etc.). These assessments include, but are not limited to:
 - Woodcock Johnson III Tests of Achievement (Standard and Extended Battery)
 - Key Math
 - Wechsler Intelligence Scale for Children (WIAT IV)
 - Comprehensive Test of Phonological Processing
 - Clinical Evaluation of Language Fundamentals – fourth edition

Optional Assessments:

- Psychological Assessment
- Home Assessment
 - A Home Assessment should only be recommended in the event that there are significant concerns regarding the child's home or family environment and its impact on the student's school performance.
- Health Assessment⁶

It is important to note that although the above assessments are those typically administered at Boston Renaissance Charter Public School; no single test should be used as the sole basis for determining a student's eligibility for special education services. A variety of techniques and assessments, including student/parent interviews, teacher input, work samples, and observations should be completed.

Required documentation for identifying a student with a Specific Learning Disability

When the suspected disability is a specific learning disability, the assessments must include: a cognitive evaluation; academic achievement testing in reading, math, and written language; processing assessments to help determine relative strengths and weaknesses in different modalities; and observation of the student by someone other than the student's teacher. All previously recorded standardized tests should be reviewed. All Team members must participate in the completion of the DESE mandated

⁵ SE 1 – 603 CMR 28.04; 28.05

⁶ SE 2 – 603 CMR 28.04 (1) and (2)



form entitled "Team Determination of Eligibility" (Form 28M/10). The following four components also are required to be completed:

- **Component One** (SLD 1 Pink Form)
- **Component Two** (SLD 2 Blue Form)
- **Component Three** (SLD 3 Yellow Form)
- **Component Four** (SLD 4 Purple Form)
- Historical Review and Educational Assessment
- DESE Forms A & B
- Area of Concern and Evaluation Method
- Exclusionary Factors
- Observation (Forms are by grade level)

Required documentation for identifying a student with a Autism Spectrum Disorder

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

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

See also Technical Assistance Advisory SPED 2007-1: Autism Spectrum Disorder at http://www.doe.mass.edu/sped/advisories/07_1ta.html.



Related Services assessments

Related services include transportation and such developmental, corrective, and other supportive services that are required to assist a child with a disability to benefit from special education. The following is a non-exhaustive list of Related Services assessments:

Speech and Language Therapy

A Speech-Language Therapy assessment is administered by a licensed Speech-Language Pathologist (SLP) and focuses on the area of suspected need which may include language (expressive and receptive), speech (phonology/articulation and fluency), and/or social pragmatics.

Occupational Therapy

An Occupational Therapy assessment is administered by a licensed Occupational Therapist (OTR) and may include assessment of sensory processing, upper extremity coordination, and perceptual and visual-motor skills.

Physical Therapy

A Physical Therapy assessment is administered by a licensed Physical Therapist (PT) and may assess one or more of the following: range of motion, muscle strength, muscle tone, reflex integration, posture, endurance, gait, functional skills, and gross motor skills. The evaluation determines if the student can safely navigate the school environment and access all elements of the school program.

Adapted Physical Education

An Adapted Physical Education assessment is administered by a licensed Adapted Physical Education Teacher (APE). There is an initial referral by the COSE for an observation of the student. The Adapted Physical Education Teacher will review any existing IEP and observe the student to determine whether there is a need for a full assessment. If there is no need for a full assessment, the Adapted Physical Education Teacher will write up the observation and submit it to the COSE. If there is a need for a full assessment, this assessment may include an observation of the student, teacher consultation, and tests and assessment tools appropriate for the child's age and activities to be assessed. The assessment determines whether the child will require support relative to physical education services. *It should be noted that APE services do not start until PE is offered as part of the general curriculum for a student's grade level.

Vision



There are two types of vision assessments. Vision assessments performed by the Teacher of Visually Impaired (TVI) and Certified Orientation and Mobility Specialist (COMS). The Teacher of Visually Impaired (TVI) is a licensed teacher with specific training relative to areas of vision. The Teacher of Visually Impaired conducts screenings and evaluations - functional vision assessments (FVA) and learning media assessments (LMA) - to determine eligibility for services. The TVI may recommend additional assessments such as the Expanded Core Curriculum for Children with Visual Impairments (ECC); Assistive Technology Assessment; Low Vision Assessment or Orientation and Mobility evaluation. **Prior to referral, all students **must** have an eye medical report*

The Certified Orientation and Mobility Specialist (COMS) is an individual certified in the area specific to the determination of appropriate strategies for the development of safe and efficient travel skills. Assessment (and instruction, if required) also may include attention to the following: sensory skills, concept development, motor skills, orientation skills, mobility skills (use of human guide, protective techniques, and use of long cane), use of low vision aids and use of assistive technology.

Hearing

The Teacher of Deaf/Hard of Hearing (TOD/HH or TOD) is a licensed teacher with specific training relative to students who are deaf or hard of hearing. The Teacher of the Deaf/Hard of Hearing assesses the educational performance of children who are deaf or hard of hearing. When possible, they distinguish learning issues that are related to hearing status from those related to other issues, using BPS established educational assessments to make that determination.

Augmentative and Alternative Communication/ Assistive Technology

Augmentative and alternative communication (AAC) is a form of assistive technology that can help students with disabilities that impede their ability to communicate to meet their education goals and participate fully alongside their nondisabled peers in all aspects of their education. Schools should be prepared to promptly refer students with disabilities for an AAC evaluation if they are unable to communicate effectively with oral speech so that the district can ensure the provision of AAC aids, devices, and services appropriate to the students' needs.

When considering students' needs for assistive technology, BPS, like many schools, uses the SETT Framework developed by assistive technology expert Joy Zabala. SETT helps to gather and organize information that can be used to guide decisions about the use of technology in educational environments. Often an AT consultation - where devices may be trialed and data collected - as opposed to a formal AT evaluation, will give the



IEP Team the information that they require in order to determine if a student requires certain AT in order to receive a free, appropriate public education. Use AT/AAC Consult Request Form to request a consultation; evaluation requests are done through EdPlan.

Applied Behavior Analysis ("ABA") Assessment

The ABA Assessment process involves an interview tool and direct observation of the student in the natural environment in which the skill deficits or behavioral challenges are being observed. The purpose of this evaluation is to assess the extent to which the currently modified and supported instructional environment is able to support the student in developing the skills needed to access their educational environment with increasing independence. The ABA Assessment is based off of the Adaptive Behavior Skills Assessment which looks at student independence across 8 domains (Cooperation and Reinforcer Effectiveness, Attending and Classroom Readiness, Foundational Communication, Independent Play and Leisure Skills, Social Skills, Classroom Participation and Group Instruction Skills, Following Classroom Routines, and Behavioral Concerns). This assessment is not norm referenced. It is, rather, a criterion referenced assessment where we are assessing the extent to which the student has the skill, not comparing them to their same aged peers as is done in other Special Education assessments. As such, this assessment does not confer a student with an educational disability on its own. A student must be found eligible on another norm referenced assessment in order to be found eligible for Special Education Services.

Functional Behavioral Assessment (FBA)

A Functional Behavior Assessment is required any time that the team determines that the behavioral concerns that a student is displaying are a manifestation of a student's disability. They can, however, be helpful in a variety of contexts beyond manifestation determinations. A Functional Behavior Assessment is an observational assessment that depends on data collection over time, interview tools, and supporting observations to make determinations about the environmental causes for a student's behavior. An FBA is the first step to the development of a function-based behavior support plan that should focus on supporting the student to acquire new strategies for responding to challenges that occur in their environment and reducing reinforcement for challenging responses. The purpose of an FBA and function-based behavior support plan is to set up a student's environment to encourage (reinforce) more appropriate responses to triggers in the environment while simultaneously supporting the student through the challenging responses to those triggers in a way that minimizes reinforcement and also supports the student to navigate the challenge safely.



Psychoeducational Assessments

A psychoeducational assessment is administered by a licensed school psychologist, licensed psychologist, or licensed educational psychologist. Psychoeducational assessments may include classroom observations, interviews of school staff, record reviews, as well as individually administered tests. A psychoeducational assessment may include measures of cognitive ability, educational achievement, adaptive behaviors, and social/emotional functioning. Specific measures are selected to address the reason for student referral or area(s) of suspected disability.

Type of Assessment	Cognitive	Academic	Adaptive, Behavioral, Emotional	Assessments for Multilingual Learners
Purpose	Measure a student's general intellectual ability (e.g. IQ) or cognitive abilities (e.g. more specific skills that contribute to general intellectual functioning)	Measure a student's ability to perform specific academic tasks including reading, writing, oral comprehension, and/or mathematics.	Measure a student's ability to perform daily activities of living, including communication, social interactions, self-care, behavioral functioning, executive functioning, and emotional functioning.	Measure student's language dominance in native language and acquisition of English



Related Constructs	<ul style="list-style-type: none"> • Verbal Reasoning • Non-Verbal Reasoning • Visual Spatial • Memory • Processing Speed • Executive Functioning 	Oral Expression Phonemic Awareness Reading Fluency, Comprehension Math Fluency, Problem Solving Writing Spelling	<ul style="list-style-type: none"> • Functional Communication • Social Behavior • Attention / Hyperactivity • Emotional Regulation • Self-Care • Executive Functioning 	<ul style="list-style-type: none"> • Speaking • Reading • Writing
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Most initial evaluations that occur after a child is six years old will include a psychoeducational evaluation. A psychoeducational evaluation also must be conducted if: a child (1) is suspected of having a learning disability or an emotional disability or (2) currently is eligible for an IEP due to a developmental disability and will be turning 9 years old, which is when a student ages out of a developmental delay disability category.

How are “outside” evaluations viewed and considered?

If an evaluation was performed by a party other than the Boston Renaissance Charter Public School, the Special Education Administrator will review this evaluation and schedule a meeting with the parent and the Team to discuss the results. Any such meeting must be held within 10 school days of receipt of the report. The results of the outside evaluation will be considered and the Team will update the student's IEP as necessary, or create an IEP if it is an initial evaluation. It is possible that the Team may determine that further in-school evaluations are necessary, at which time an Evaluation Consent Form (see *appendix*) will be sent home for the parent to sign. All efforts will be made to avoid duplicating previously administered assessments.

Are there any emergency circumstances in which an evaluation must be performed?

In the event that a student exhibits multiple dangerous or self-abusive behaviors, the Special Education Department may refer the student for an Emergency Evaluation. The Special Education Department may:

- Contact the parents immediately
- Inform the parents of the student's behavior



- Invite the parents to meeting to discuss the behavior
- Obtain parental permission to begin an evaluation
- Discuss and determine an emergency placement if necessary

What information should be included in an evaluation report?

Evaluation reports should contain all of the results from all of the different assessments that were performed. Each assessor should formulate his/her own report, in which the results from each testing area are displayed. Results should not only be documented, but interpreted within the report, thus enabling parents, teachers, and service providers to understand the needs of each child and his/her capabilities. Specific behaviors or patterns that arose during testing should be included in the report as well, in order to help gain a better understanding of the whole child. Reports should note a student's areas of strength and weakness, as well as recommendations for a student's success in the classroom. Suggested accommodations to help foster the student's progress should also be noted. Reports should be written in the approved Boston Renaissance Charter Public School report format. (see *appendix for an example report*) ⁷

What timelines exist for evaluation reports?

Any person who evaluates a student for special education services must complete the evaluation by the dates listed on the Evaluation Consent Form (see *appendix*) (30 school days from the date that Consent was received). Once testing has been completed, all evaluators must inform the Special Education Department. Evaluation reports are sent home to parents prior to a meeting. This enables the Special Education Department to become familiar with the student's evaluation results, as well as send the parents a copy of the student's results at least two days prior to the IEP meeting. ⁸

What is the school's policy for the request for an Independent Educational Evaluation?

If a parent disagrees with an initial evaluation or re-evaluation completed by BRCPS, and the parent requests an independent educational evaluation, the district implements the following requirements: ⁹

1. All independent educational evaluations funded by the district are conducted by qualified persons who are registered, certified, licensed or otherwise approved and who abide by the rates set by the state agency responsible for setting such rates. Unique circumstances of the child are justified when an individual assessment rate is higher than that normally allowed.

⁷ SE 4 – 603 CMR 28.04 (2) (c)

⁸ 603 CMR 28.04 (2)(c))

⁹ SE 11 - 603 CMR 28.04(5)



2. The school district has procedures to offer parents the option of participating in an income eligibility program for free or reduced cost independent educational evaluations that are equivalent to the types of assessments done by the school district.
3. The district extends the right to a publicly funded independent educational evaluation (only if cost shared or funded for state wards or for students receiving free or reduced cost lunch) for sixteen (16) months from the date of the evaluation with which the parent disagrees.
4. If the parent is requesting an 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 five school days, proceeding to Special Education Appeals to show that its evaluation was comprehensive and appropriate. Where the Department's Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, the school district does not pay for the independent educational evaluation requested by the parent.
5. Whenever possible, the independent educational evaluation is completed and a written report sent no later than thirty (30) days after the date the parent requests the independent educational evaluation. If publicly funded, the report is sent to the parents and to the school district. The independent evaluator's report summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs of the student. The independent evaluator recommends appropriate types of placements but does not recommend specific classrooms or schools.
6. Within ten (10) school days from the time the school district receives the report of the independent educational evaluation, the Team reconvenes and considers the independent educational evaluation (which may be publicly or privately funded) and whether a new or amended IEP is appropriate.

Private/Independent Educational Evaluation Reports Submitted by Parent/Guardian Prior to Eligibility

If a parent submits a private/independent educational evaluation report for a student who is not eligible currently for an IEP, the Special Education Team Chair should review the report and treat the submission as a parent referral for an evaluation to determine IEP eligibility. As a general rule, BRCPS shall propose conducting an initial evaluation of



the student rather than waiving the district's right to conduct an initial evaluation with evaluators of the district's own choosing.

IEP Team Process

When must an IEP team meeting be held?

An IEP Team must meet whenever any of the following occurs:

- A student has been assessed for special education services.
- At least annually, to review the student's progress and eligibility, as well as to make any necessary revisions.
- A student demonstrates a lack of anticipated progress.
- The parent or District staff member requests a meeting to review the IEP. **Note:** IEP meetings must be held as frequently as they are requested. There is no legal limit to the number of IEP meetings that may be requested.
- There is a proposal to change the student's eligibility, services, or placement (make an amendment to the student's IEP).
- When a student with an IEP transfers into the Boston Renaissance Charter Public School from another school district.
- When a Manifestation Determination is required (*refer to section IV. H. for more information*)

Members of the IEP Team

IEP teams are made up of individuals who bring different perspectives and expertise to the table. Team members set out to develop an individualized response to a specific child's needs, taking into account that same child's strengths and talents. The end product is the child's individualized education program.

IDEA (at 300.321)¹⁰ describes the IEP team as including the following members:

- The parents of the child (an interpreter when necessary);
 - a. Communications with parents are in simple and commonly understood words and are in both English and the primary language of the home if such primary language is other than English.¹¹
- Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);¹²

¹⁰ SE 8 - 603 CMR 28.02(21)

¹¹ SE 26 – 603 CMR 28.02 (21) and SE 29 – 603 CMR 28.07 (8)

¹² SE 33 – 603 CMR 28.05 (4) (a) and (b)



- Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
- A representative of the public agency who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of the public agency;
- An individual who can interpret the instructional implications of evaluation results;
- Other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate (invited at the discretion of the parent or the agency); and
- The child (when appropriate).
- 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, that the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed OR
 - 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.

Excusal of a Team member from an IEP Meeting: When a Team meeting involves a modification or discussion of a required Team member's area of the curriculum or related service, the Team member's attendance may be excused, in whole or in part, but only if:

- The parent and the district consent to the excusal in writing. There is space on the Team meeting attendance sheet to document consent to excusals; and
- The excused Team member submits written input prior to the Team meeting.

In addition, after an Annual Review IEP Team meeting, the parent and BRCPS may agree to amend an IEP without a Team meeting, however, this agreement should be in writing. Video conferencing, telephone conferencing or virtual meetings may be used as alternatives to in-person meetings.

The Team is responsible for managing and completing three important activities:

- Eligibility determination/Initial and Reevaluation
- Development of IEP
- Placement decision



Scheduling the IEP meeting

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. Since it is essential that IEP team members are available and prepared for the meeting and that meetings are held within required timelines, effective scheduling is important. Initial and Re-evaluation meetings must be scheduled 45 school days after receiving parent consent to test (see *appendix*)¹³

The Special Education Team Chair facilitates every IEP Team meeting and leads the Team in determining the appropriate placement to deliver services on the student's IEP. The Special Education Team Chair guides the IEP team using the current IEP as a draft. The Special Education Team Chair goes through accommodations, goals, state and district testing accommodations with the Team. The decision regarding placement includes all services, including related services, the setting in which the services will be provided, the type of service providers and the location of the services. The Special Education Team Chair notes the service delivery information on the service delivery grid of the Team Meeting Notes page. A copy of the meeting notes is given to the parents along with the other Team Meeting Notes upon completion of the meeting. The Special Education Team Chair and Director of Student Services review the completed IEP and mail home two copies of the proposed IEP within the timelines. The Special Education Team Chair creates an N1 form for every IEP or IEP Amendment and mails home the documentation to the parents with two copies of the proposed plan.

If the parent/guardian disagrees with evaluation and seeks an independent education evaluation the Team may, with the agreement of the parent, delay writing some or all of the IEP until an independent education evaluations can be completed. If the Team writes a partial IEP, a parent may consent to the proposed partial program prior to completion of the full IEP. In such case, the partial program shall be implemented immediately. If the Team members are unable to agree on the IEP, the Special Education Team Chair shall document the elements of the IEP proposed by the school district. The Special Education Team Chair will reconvene the TEAM in an attempt to come to an agreement on the proposed IEP. If an agreement cannot be reached the district shall determine if the disagreement is denying the student FAPE and possibly seek resolution through the Bureau of Special Education Appeals.

¹³ SE 9 - 603 CMR 28.05(1); 28.06(2)(e)



Notifying participants of the meeting

Parents receive written notification (including the purpose, time and location of the meeting, as well as who will be in attendance)¹⁴ of their child's IEP meeting at least 10 calendar days prior to the meeting. The notice is written to the best of the ability in the parent's primary language.¹⁵ A meeting reminder is sent home to the parent prior to the meeting, and a reminder phone call is placed the day prior to the meeting. It must be noted that parents have the right to ask for a meeting to be rescheduled, or to suggest a phone conference if they can not make a scheduled meeting date/time. All reasonable efforts will be made to reschedule the meeting before it is held without parents in attendance.¹⁶ If this occurs, meeting notes are mailed home directly after the meeting, and parents are called to discuss their own observations and concerns. If a member of the TEAM other than the parent is unexpectedly unavailable to attend the meeting the parent can agree in writing to excuse the Team member. (see *appendix for an agreement for the absence of a team member*)

Preparing for an IEP meeting

Questions to consider and answer prior to an IEP meeting:

Regular Education Teachers	<p>How is the student performing currently?</p> <p>What areas are strengths/weaknesses for the student?</p> <p>What is the student's focus for this year?</p> <p>What are the expectations for the student in comparison to the student's peers?</p> <p>What are the student's interests, personal attributes and accomplishments in school?</p>
Special Education Teacher	<p>How does the disability affect the student's academic achievement?</p> <p>How is the student performing currently?</p> <p>What areas are directly affected by the disability?</p> <p>What is our vision for the student for the upcoming IEP period?</p> <p>What types of services and supports are necessary in order for the student to be successful?</p> <p>What are some ideas for appropriate goals to focus on for the next IEP period?</p>

¹⁴ SE 27 – 34 CFR 300.322 (b) (1) (i)

¹⁵ SE 29 – 603 CMR 28.07 (8)

¹⁶ SE26 – 603 CMR 28.02 (21)



	<i>For Annual Reviews and Re-Evaluation meetings – review the students current IEP and determine if and how the goals need to be changed to meet the current needs of the student.</i>
Parents	<p>What are the student's goals and dreams?</p> <p>What are you dreams and goals for your child?</p> <p>What type of activities is the student interested in?</p> <p>What are the student's interests, personal attributes, and personal accomplishments outside of school?</p> <p>Are there any certain medical issues that should be noted?</p>
Service Providers	<p>How does the disability affect student's academic achievement?</p> <p>What areas are directly affected by the disability?</p> <p>What types of services and supports are necessary in order for the student to be successful?</p> <p>For Annual Reviews and Re-Evaluation meetings – review the students current IEP and determine if and how the goals need to be changed to meet the current needs of the student.</p>

Eligibility Determination

Using the Massachusetts DESE Eligibility Flowchart

Within **forty-five** school working days after receipt of the parent's written consent to an initial evaluation or a re-evaluation, the school district determines whether the student is eligible for special education, and provides to the parent either a proposed IEP and proposed placement, or a written explanation of the finding of no eligibility.

Massachusetts Department of Elementary and Secondary Education has developed an Eligibility Flowchart, (see *appendix*), which reviews the complete process of making a determination of eligibility or ineligibility for the student to receive special education services. This flowchart is completed and agreed upon by all Team members at the end of an Initial IEP meeting, or a 3-Year Reevaluation meeting.¹⁷

Questions #1: Does the student have a disability?

The Team must gather and use all current assessment results and information to assist in determining if the student has a disability(ies). It is important to note that identification

¹⁷ SE 9 – 603 CMR 28.05 (1); 28.06 (2) (e)



of a disability is not a medical diagnosis, but a more general agreement among Team members that the assessed characteristics of the student are consistent with the regulatory definition for that disability(ies).

A disabling condition is characterized by significant delays, impairments, or limitations in the student's capacity(ies). To make this determination, the Team should consider if one or more of the following is true:

- Does the student present with a pattern of difficulty that persists beyond age expectations?
- Does the student present with a pattern of difficulty across settings?
- Does the student present with a pattern of difficulty that is not solely the result of cultural, linguistic, or socioeconomic differences?
- Does the student present with a pattern of difficulty that persists despite instructional support activities?

Disability Classifications¹⁸

***According to the Massachusetts Department of Elementary and Secondary Education
Education Laws and Regulations
603 CMR 28.00: Special Education***

Classification	Description
1 Autism	A developmental disability significantly affecting verbal and nonverbal communication and social interaction. The term shall have the meaning given it in federal law at 34 CFR §300.8(c)(1).
2 Developmental Delay	The learning capacity of a young child (3-9 years old) is significantly limited, impaired, or delayed and is exhibited by 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
3 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

¹⁸ 34 CFR §300.8(c)



	difficulty understanding abstract concepts. Such term shall include students with mental retardation.
4 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.
5 Emotional Impairment	- As defined under federal law at 34 CFR §300.8(c)(4), 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.
6 Communicative 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
7 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
8 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.



9 Specific Learning Disability	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. Use of the term shall meet all federal requirements given in federal law at 34 CFR §§300.8(c)(10) and 300.309.
10 Sensory Impairment	The term shall include the following:
a. Hearing Impairment or Deaf	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 auditorily-presented information in the education environment. The term includes students who are deaf and students who are hard-of-hearing.
b. Vision Impairment or Blind	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.
c. Deaf blind	Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

***Choosing a primary disability:** If more than one type of disability is present, the Team must determine if one disability is primary, or if multiple disabilities are interacting with similar force in this student's learning profile.

- o One Primary Disability Identified: The identification of a primary disability does not preclude the Team from attending to the effects of other "secondary" disabilities that may also be present.



- o Multiple Primary Disabilities Identified: This means that the Team perceives each of the identified disabilities to have primary impact on the student's learning and the data for this student would support this finding of "Multiple Disabilities."

When a student is suspected of having a Specific Learning Disability, 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 documents their disagreement.¹⁹

Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.

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.²⁰

Following a three-year reevaluation, the Team will convene to consider if a student continues to be eligible for special education services. In most cases, determination of type of disability will not change, and the Team will spend more time and attention determining if the student continues to require special education services in order to make effective progress in the classroom.

- If the student was originally found eligible for special education as a student with a "developmental delay" and the student is now or, within a year, will become 9 years old, the Team must determine if the student has a disability other than "developmental delay."
- If the student's health, emotional, or physical circumstances have significantly altered so that another type of disability(ies) is playing a primary role in the student's learning profile and, therefore, the Team determines that identification of a different type of disability(ies) is appropriate.

Question #2a: Is the student making effective progress in school?

¹⁹ SE 3 - 34 CFR 300.8(c)(10); 300.311

²⁰ SE 18A - CMR 28.05(3); G.L.c. 71 B, section 3, as amended by Chapter 92 of the Acts of 2010



Making an assertion of *effective progress* is not arrived at through a simple review of the student's grades. The Team must use both academic information and non-academic information about the student to determine if the student is making effective progress.

Progress effectively made in the general education program shall mean to make documented growth in the acquisition of knowledge and skills, including social/emotional development, within the general education program, with or without accommodations, according to chronological age and developmental expectations, the individual educational potential of the child, and the learning standards set forth in the Massachusetts Common Core Standards and the curriculum of the Boston Renaissance Charter Public School

Question #2b: Is the lack of progress a result of the student's disability?

The Team will review assessment results and observations to help determine if the student's lack of progress is a result of a disability, or a result of other possible factors. Only if the Team determines the lack of progress is connected to a disability may the Team continue to discuss a possible finding of special education eligibility. According to state and federal regulation ²¹a 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. These reasons may become part of the Team's deliberations, but the essential finding of the Team must be that lack of progress is, at least in part, a result of the student's disability(ies).

Question #2c: Does the student require specially designed instruction in order to make progress?

The Team must determine if, because of the disability, the student requires *specially designed instruction* or a *related service* in order to access the general education curriculum and make effective progress.

Specially designed instruction is instruction for the student that is designed to meet the unique needs of that student. Such special design may require modifying content, methodology, delivery of instruction, instructional format, or performance criteria. This does not include typical "best practice" teaching strategies (i.e. preferential seating, pencil grips, cooperative learning styles, etc.).

²¹ SE 9a - 603 CMR 28.05(2)



Related service(s) ²²are considered special education services if they are necessary in order for the student to access the general education curriculum. ²³ At the Boston Renaissance Charter School, related services include, but are not limited to:

- 1 – **Speech and Language Therapy** - Speech and Language Pathology (SLP) services include, but are not limited too, helping students of all age levels; learn to read, write, produce sounds, understand vocabulary words, use appropriate social skills, express themselves clearly, listen, advocate, and follow directions. SLP's provide individual and group services, pull-out sessions, push-in inclusion services, consultation with teachers, classroom accommodation suggestions, screenings, evaluations, and outside referral suggestions.
- 2 – **Occupational Therapy** - The goal of Occupational Therapy (OT) in the school environment is to help students fully participate in school through performance of tasks and activities important for school functioning. This includes helping students improve in their ability to use their hands to operate tools (such as pencils and scissors) successfully and accurately, helping students use their bodies to do new motor tasks, to move around safely in the school environment, and participate in movement activities, helping students to learn to organize themselves, and helping them to make sense of sensory information.
- 3 – **Physical Therapy** - Physical Therapy (PT) services include identifying students at each grade level who demonstrate delay or impairments in their gross motor skills, strength, balance, coordination and functional mobility skills. Once identified, students are evaluated and given goals based on their individual needs. Services are delivered to enable each student to perform physically to their maximal potential and participate fully in their academic environment.
- 4 – **Psychological Services** – School Psychologists use parent and teacher consultation, individual and group counseling, evaluation, and research to help students to succeed academically, socially, and emotionally. School psychologists collaborate with teachers, administrators, parents, and other professionals in the school building to find solutions to learning and behavior problems (i.e. creating and monitoring Behavior Support/Intervention Plans, conducting Functional Behavioral Assessments). Evaluation services include determining special education eligibility, assessing academic skills and aptitude for learning, and determining social-emotional competence and mental health status. Case management services are also offered. The Mental Health Team (School Psychologists and School Social Worker) are on

²² SE 49 – 603 CMR 28.02 (18)

²³ (34 CFR 300.24).



call daily for emergencies with students such as a death in the family, illness in the family, extreme emotional breakdowns, disclosure of physical or sexual abuse and/or neglect, and self-injury.

E. Other Options Available

Assistive Technology – specialized materials and equipment:

Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device.

In developing each student's IEP, the IEP Team must consider whether the student needs assistive technology devices and services.

- If the IEP Team recommends an assistive technology evaluation, a multidisciplinary team of professionals knowledgeable about assistive technology devices should conduct the assessment with the student and family being included in the evaluation process. The evaluation should take place in the student's customary environment.
- In instances when assistive technology devices and/or services are determined as required, the Team must further determine and document which settings (classroom, home or other) in which the student needs access to those devices and services in order to assure provision of FAPE.

The IEP Team must also consider the communication needs of the student.

Augmentative and alternative communication (AAC) is a form of assistive technology that can help students with disabilities that impede their ability to communicate to meet their education goals and participate fully alongside their nondisabled peers in all aspects of their education. AAC should be considered for those students who cannot communicate effectively through oral speech, including students with autism, cerebral palsy, intellectual disabilities, congenital disabilities, selective mutism, muscle disease, sensory impairments, and traumatic brain injury.

If after evaluation, it is determined that a student is in need of an *Assistive Technology device or services*, the district must include:

- Purchase, lease, or otherwise provide for the acquisition of assistive technology devices;



- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans or programs;
- Training or technical assistance for a student with a disability or, if appropriate, that student's family; and
- Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that student.

Devices and services include, but are not limited to:

- Standing desk
- Stress balls
- Adapted pencil grips, scissors
- Graphic organizers
- Slant boards
- Math manipulatives
- Individualized visual schedules
- Timers
- Individual slate boards
- Fidgets
- Thera-bands for chair legs and table legs
- Calculators
- Noise-canceling headphones
- Audio books
- iPads (some with individualized AAC apps)
- Hearing Assistive Technology for students with hearing aids
- Text to speech software extensions
- AAC devices
- Assistive Technology Evaluations
- Assistive tech teacher training

Overview/Description



The Individuals with Disabilities Education Act (IDEA), a federal law on special education that was reauthorized in 2004, requires schools to consider a student's possible need for assistive technology devices and services whenever an Individualized Education Program (IEP) is developed. In addition, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act require schools to provide assistive technology for students with disabilities, if needed to assure equal access to the school's programs and services. Both of these laws also require that schools provide instructional materials in accessible formats to students who need them.

Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a student with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device. IEP teams must consider to what extent assistive technology would benefit a student. If an IEP team deems that assistive technology is required for a student's need then the school must provide the student with the technology at no cost to the student.

Examples of assistive technology available to students can include (but is not limited to):

- Text to speech software
- Speech to text software (Read Write Extension)
- Laptop
- Audiobooks
- Noise Buffers
- I-pad
- Digital organization systems

Augmentative and alternative communication

1. The IEP Team must consider the communication needs of the student. Augmentative and alternative communication (AAC) is a form of assistive technology that can help students with disabilities that impede their ability to communicate to meet their education goals and participate fully alongside their nondisabled peers in all aspects of their education. AAC should be considered for those students who cannot communicate effectively through oral speech, including students with autism, cerebral palsy, intellectual disabilities, congenital disabilities, selective mutism, muscle disease, sensory impairments, and traumatic brain injury.

2. Assistive technology service means any service that directly assists a student with a



disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- a. The evaluation of the needs of a student with a disability, including a functional evaluation of the student in the student's customary environment;
- b. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices for students with disabilities;
- c. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- d. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- e. Training or technical assistance for a student with a disability or, if appropriate, that student's family; and
- f. Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that student.
- g. In developing each student's IEP, the IEP Team must consider whether the student needs assistive technology devices and services. Each public agency must ensure that assistive technology devices and services are made available to a student with a disability if required as a part of the student's special education, related services, and/or supplementary aids and services.

3. If the Team recommends an assistive technology evaluation, a multidisciplinary team of professionals knowledgeable about assistive technology devices should conduct the assessment with the student and family being included in the evaluation process.

4. In instances when assistive technology devices and/or services are determined as required, the Team must further determine and document which settings (classroom, home or other) in which the student needs access to those devices and services in order to assure provision of FAPE.

Assistive Technology Policy and Procedures

Boston Renaissance Charter Public School complies with the IDEA and as such directs all staff to consider the need for assistive technology for each eligible student.



Staff should apply the following procedure and awareness to their consideration:

The IEP describes the technology that a student requires and BRCPS purchases and provides the technology to the student. Boston Renaissance has invested heavily in wireless technology and infrastructure, digital textbook purchasing as a requirement, BRCPS will maintain an account with iTunes, and one to one Chromebooks in (Grades 2-6) as well Chromebook stations for (Grades K1-1st).

All staff are reminded that Technology Team is available at ALL levels to support the design and implementation of technology within every-day instruction. This includes providing yearly training and Instructional Assistants and other support staff as needed. They can be contacted by:

ITC	Phone/email
Shaykh Muyeab	smuyeab@brcps.school 617-357-0900 ext. 2108
Justin Harris	jaharris@brcps.school 617-357-0900 ext. 2106
Jeff Rosenbaum	jrosenbaum@brcps.school 617-357-0900 ext. 2105

Boston Renaissance Charter Public School directs staff to complete a comprehensive assessment of individual students utilizing multiple data sources. These sources may include standardized tests, informal measures, device trials, app trials, observations, student self-reports, parent reports, and a plan for progress monitoring. The BRCPS employs staff with expertise in these assessments and will contract with outside providers for specific assessment support, if needed. Evaluations should employ a functional lens and occur in a student's



customary environment.

All staff are reminded that BRCPS employs Speech and Language Pathologists, Occupational Therapists, Physical Therapists and contract vendors who specialize in selecting, designing, fitting, customizing, adapting and applying assistive and augmentative communication devices for students. Using a multidisciplinary approach to service delivery allows other professionals, (such as Occupational Therapists and Physical Therapists) on the Team to contribute their area of expertise.

It is expected that all BRCPS Assistive Technology evaluations include a functional lens and incorporate natural environment settings to determine appropriate choices for equipment and applications. Staff are directed to contact their special education team members, school directors and or the Student Service Director at 617-357-0900 x4200 scopeland@brcps.school or Assistant Director at 617-357-0900 x 5350 or soconnor@brcps.school if they need support in this area.

Boston Renaissance also maintains a contract with a consulting organization (Easter Seals, Northeastern University-Department of Communication Sciences and Disorders, and EdTech Solutions) to provide additional input regarding selecting, utilizing and training staff on such devices. Student IEPs should contain a provision for who will provide training to students, staff and parents and an opportunity for community-based providers to join the training is not only appropriate, but welcome. Examples of these community-based providers could include employers, home care providers, extended family members who provide significant support and other appropriate contacts such as PCAs and respite providers. Every effort should be made to collaborate with parents and/or home/community service providers in order to support a student's communication potential. These resources are identified in student IEPs and contact information is available from multiple sources, the Student Service Department, student IEP's, the Student Services handbook as well as the internet. Services to students (or if appropriate, the student's family) for training and or



technical assistance are to be documented via the IEP.

Technology Support Specialists, assigned to all levels, are well-versed in the maintenance, repair and replacement of hardware, software and school purchased devices. School staff are directed to promptly report any equipment that is not functioning properly as BRCPS will house a bank of loaner devices in stock and can expedite purchasing of equipment to maintain access for students.

BRCPS will make devices available to students regardless of the modality of purchase and is able to lease, rent, trial, and purchase equipment depending on vendor and student needs. In instances when the schools purchased device travels between home and school, staff are redirected to the [G Suite](#) loan agreements which inform students and parents of their rights and responsibilities related to usage and repair. These can be further individualized based on student context and need. If a device or app is determined to be FAPE for a student and included in a signed IEP, there is to be no cost to families for the purchase, maintenance and repair of the device.

Independent Educational Evaluation (IEE)

If the parents state at the Team meeting that they are not satisfied with the school district's evaluation, the Coordinator should explain a parent's right to request a publicly funded IEE.

*If the parents/guardians choose to request an IEE, they should put their request in writing, preferably by completing an IEE Request form (see appendix H). Upon receipt of an IEE Request form or other written request for an IEE, the Coordinator should immediately notify the Director of any request for an IEE and forward the IEE Request form with a **This should happen immediately after the form is submitted because BRCPS has only five (5) school days to respond to the parent's request.***

In Massachusetts, under state law, parents receive an IEE at full or shared public expense if they meet income eligibility requirements. Students who are eligible for free or reduced cost meals are entitled to an IEE at public expense. Other students are eligible for a shared cost IEE according to a sliding fee scale. Sharing financial information with the school district is completely voluntary on the parents' part. If they



choose to share such information, BPS must immediately notify the parents in writing whether or not they are eligible for full or partial funding of an IEE and proceed to fund the IEE based on eligibility. Parents' right to a publicly funded IEE through Massachusetts' sliding fee scale mechanism extends for 16 months from the date of the school district's evaluation with which the parents disagree.

If the parents do not meet income eligibility requirements or choose not to disclose financial information, BPS must consider the request for a publicly funded IEE under federal law. Within five (5) school days of the parents' request, the district may either agree to provide an IEE at public expense or request a hearing at the Bureau of Special Education Appeals (BSEA) to demonstrate that the evaluation conducted by the district was comprehensive and appropriate.

If BRCPS agrees to fund all or part of an IEE, BRCPS will send the parent/guardian and the parent's selected evaluator an authorization letter specifying how much BPS will pay for the IEE. This letter also indicates that the IEE shall be conducted by a qualified person(s) who abides by the rates set by the Massachusetts Executive Office of Health and Human Services.

Once BRCPS receives the written report of the IEE, within 10 school days of receipt of the IEE, the Team must reconvene to consider the findings of the IEE and whether a new or amended IEP is appropriate. Also, if a parent submits an IEE done at private expense for a student on an IEP, the Team must reconvene within this same ten (10) school day timeframe to consider the parent-provided IEE.

Extended Evaluations²⁴

Evaluations are deemed "inconclusive" when during a Team meeting, if the Team finds the evaluation information insufficient to develop a full or partial IEP, the Team, with parental consent, may agree to an **extended evaluation period**.

- The extended evaluation period shall not be used to deny programs or services determined to be necessary by the Team. If, prior to the extended evaluation, the Team determines that sufficient information is available to identify some necessary objectives and services, the Team shall write a partial IEP that, if accepted by the parent/guardian, shall be immediately implemented by the district while the extended evaluation is occurring.

²⁴ SE 19 – 603 CMR 28.05 (2) (b)



- The extended evaluation period shall not be used to allow additional time to complete the required assessments under 603 CMR 28.04(2)(a).
- If the parent/guardian consents to an extended evaluation, the Team shall document its findings and determine what evaluation time period is necessary and the types of information needed to develop an IEP, if appropriate. The Team may decide to meet at intervals during the extended evaluation, but in all cases shall reconvene promptly to develop or complete an IEP when the evaluation is complete.
- The extended evaluation may extend longer than one week, but shall not exceed eight school weeks.
- The extended evaluation shall not be considered a placement.

Not Eligible for Special Education²⁵

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

Resolution of Disputes

Within fifteen days of receiving notice that a parent has made an official hearing request with the Bureau of Special Education Appeals the school will convene a meeting with the parent, relevant members of the IEP Team, a representative from the school with decision-making authority and attempt to resolve the dispute. This meeting may be waived if the parent and the school agree in writing to do so or if they agree to use mediation instead.

If the dispute is resolved in the meeting the parent and the representative from the school with decision-making authority will sign a legally binding agreement. This agreement can be voided by either party within three business days of the signing.

²⁵ SE 9a - 603 CMR 28.05 (1) and (2)



Components of an Individualized Education Plan

What is an IEP?

The **Individualized Education Program (IEP)** is a written document that is the school's offer of a Free Appropriate Public Education (FAPE) and is developed and agreed to by the Team (including parents). The IEP is completed addressing all elements of the most current IEP format provided by the Department of Elementary and Secondary Education. The school district ensures that the IEP will not be changed at a higher administrative level within the district.²⁶

Once an IEP has been accepted by the parents, the Special Education Team Chair immediately gives the IEP to the service provider(s) who then schedule the student for services. Services begin immediately. Copies of the IEP are also given to the general education staff that provides direct service to the student. The Director of Student Services along with the school Directors are responsible for the monitoring and implementation of IEP services. If the parent does not accept the IEP the Special Education Team Chair must contact the parent within five days to discuss the rejection to attempt to resolve the issues. If only portions of the IEP are rejected the school must implement all accepted portions of the IEP.

Parents are asked as a part of the discussion of independent and/or additional evaluations if they are willing to access their insurance. The Special Education Team Chair will make clear to the parent that the school is responsible for the cost of the evaluation and the use of insurance is optional. Each time the school proposes to access the parent's private insurance to support the costs of IEP implementation, the school will obtain the parent's consent. The Special Education Team Chair will inform the parents that their refusal to permit the school district to access their private insurance does not relieve the school of its responsibility to ensure that all required services are provided at no cost to the parents.

After a parent receives an IEP the parent has the right to accept or reject the program that has been mutually agreed upon with the Team in whole or in part. The parent also has the right to request an independent evaluation at public expense according to

²⁶ SE 18a - 603 CMR 28.05(3)



regulations. If an independent evaluation is conducted the Team has ten days of receipt of the evaluation results to reconvene.

The IEP documents:

- Whether the student is eligible for special education and related services.
- The student's present levels of educational performance and educational needs.
- The goals and objectives the student is to achieve.
- The special education, related services, accommodations, and modifications the student needs and will receive.
- The appropriate placement for the student.
- How the student's progress will be assessed and reported.

The IEP is:

- An agreement that the student will receive what is specified in the IEP.
- A communication vehicle enabling parents, professionals and, if appropriate, the student as equal participants to make joint informed decisions.
- A compliance tool enabling school districts and State and Federal agencies to determine whether a student is receiving a free appropriate public education by assessing whether the IEP meets legal requirements and whether the student is receiving what is documented on the IEP.
- A student-centered management tool used to ensure that a student is provided needed special education and related services.
- A commitment of resources necessary to enable the student to receive needed special education and related services.

The IEP is not:

- A lesson plan
- A guarantee that a student will achieve the goals and objectives set forth in their IEP.
- A vehicle for specifying the methodologies teachers and other professionals will use with the student.

Special Education Teacher Responsibilities

Areas in which **Special Education Teachers** are responsible for when writing an IEP (see *appendix for Special Education Teacher IEP Checklist*).

- Parent and Student Concerns
- Key Evaluation Summary-Include educational testing/Student Strengths
- Vision Statement



- Present Levels of Performance Part A (Plep A)
- Accommodations
- Current Performance Levels and Annual Goals
- Non-Participation if removed from the General Education Program for academic services.
 - A clear statement justifying why removal is necessary when removal occurs
 - Reasons should focus on the benefit the student will receive from being outside of the general education environment.
 - Justification should refer to any special education and related services recommended to occur in other settings during the service delivery discussion.

Service Provider Responsibilities

Areas in which **Service Providers** are responsible for when writing an IEP (see *appendix for Related Service IEP Checklist*).

- Key Evaluation Summary-Include any testing done by the service provider
- Present Levels of Performance Part B (Plep B)
- Current Performance Levels and Annual Goals
- If a child only qualifies for a related service, the related service provider is responsible for all sections. Refer to Special Education teacher responsibilities.
- Non-Participation if removed from the General Education Program for related services.
 - A clear statement justifying why removal is necessary when removal occurs
 - Reasons should focus on the benefit the student will receive from being outside of the general education environment.
 - Justification should refer to any special education and related services recommended to occur in other settings during the service delivery discussion.

Special Education Department Responsibilities

The following areas will be completed by **the Special Education Department**

1. Service Delivery

Grid A: Consultation for school staff and/or parents

Grid B: Direct Services will occur in the general education environment

Grid C: Services will occur in any other type of setting outside the general education environment



2. Length of School Day/Year-IEP must describe the modifications and reasons for a student to receive:²⁷

- Shortened school day
- Shortened school year
- Longer school day
- Longer school year
- Residential services
- An extended day or year program may be identified if the student has demonstrated or is likely to demonstrate a loss of acquired skill and/or substantial difficulty in relearning skills if an extended program is not provided.

3. Transportation

- Team members must ascertain whether the disability(ies) prevents the student from getting to the school in the same manner as the student's non-disabled peers
- Under transportation services, check "yes" ONLY if the student requires modifications or specialized equipment.
- Transportation is a related service under federal statute and needs to be provided to ensure that students receive educational benefits from their IEP services.

4. State and District Wide Assessment

- All Special Education students at BRCPS will participate in MCAS and district wide assessment.
- Some Special Education students will participate with accommodations outlined in the IEP
- MCAS and district wide testing accommodations must be consistent with accommodations students regularly receive in their curriculum.
- If no assessments are planned during an IEP period, the Team should note that no testing will occur and leave the remainder of the page blank.
- The Team is responsible for deciding how all students will participate in state and district wide assessments.
- Determine if the student qualifies for MCAS-ALT participation using the decision making flowchart and based on the cognitive abilities of the student

5. Reviews completed IEP

²⁷ SE 21- 603 CMR 28.05 (4) (d) and (5) (c)



- After the IEP is completed and reviewed, two copies are mailed home to the parents along with a letter specifying that if the school does not hear from the parent accepting or rejecting the IEP, the IEP will be considered rejected and forwarded to the Bureau of Special Education Appeals (BSEA).
- After 20 days have passed and the IEP has not been signed, a reminder letter is sent to the parents with another copy of the IEP.
- When the 30 day timeline has passed, the IEP is sent to the BSEA. A copy of the letter sent to the BSEA is sent to the parents.

Elements of an IEP *(See appendix for a sample IEP)*

ADM1: Administrative Data Sheet

Personal/contact information regarding the student and parent/guardian should be reviewed and updated, as necessary, at each meeting.

IEP- 1 Key Evaluation Summary

- Must include the information most relevant to the student's present levels of performance relating to the student's strengths, interests, needs, learning style, disability and MCAS/scores.
- For an EL student, the IEP Team must specify the student's English Language Development proficiency level and expressive and receptive language skills
- Must summarize the results of the most recent evaluation or reevaluation
List the assessments conducted and any other sources of information used to describe the student's present levels, which may include formal or informal methods, norm or criterion referenced tests, classroom observations, student work samples, behavior rating scales, and performance data from general education teachers.

Vision Statement

The IEP's Vision Statement requires the Team to take a broader, long-range perspective as it looks to where this student is headed in the future. Developing the vision statement is intended to help the Team balance immediate concerns and the hopes and dreams for the future; also, knowing where the student is headed makes it easier for the Team to eventually determine what progress needs to be made in the upcoming year. MA DESE's IEP Process Guide (6/2001) includes a reminder for Teams that the ultimate goal for all students with disabilities is independence and productive lives.

Depending on the student's age, the Team needs to look one to five years in the future when writing the vision statement. For younger students, adults develop the vision statement but, as the student becomes older and more involved in transition planning,



the vision statement reflects the hopes and dreams of the student and not the parent and school-based Team members. Also, the statement for older students must conform to federal regulation and be based on the student's preferences and interests and include desired outcomes in adult living and post-secondary and work environments. For younger students, the Team might want to project over a shorter span of time and concentrate on times when the student might be transitioning from preschool to elementary school, elementary school to middle school or from a more restrictive environment to a less restrictive environment.

IEP-2, IEP-3 Present Levels of Performance (PLEP A & PLEP B)

On PLEP A, be specific in identifying how the disability impacts progress and access in the **general education curriculum area(s)** (e.g. difficulties with expressive language, reading comprehension, completing basic math facts, etc.).

- Types of accommodations, specially designed instruction, and modifications (e.g. content, methodology/delivery of instruction, performance criteria) must be described

PLEP B shifts the Team's focus to "Other Educational Needs" and includes a non-exhaustive list of potential educational needs beyond the general curriculum areas that may be impacted by the student's disability (e.g. behavior, social/emotional, Limited English Proficiency, Transition). After identifying any "other educational needs," as with PLEP A, the Team should state specifically how the disability(ies) affect the identified "other educational needs" and describe the type of accommodations, specially designed instruction, and modifications (e.g. content, methodology/delivery of instruction, performance criteria) the student needs to make effective progress.

- PLEP B also includes Age-Specific Considerations for the Team. **For English Learners**, PLEP B must specify in detail:
 - Any accommodations for, or modifications to, standard language proficiency assessment procedures required by the student's disability or special needs, as well as an explanation for why accommodations and/or modifications are necessary;
 - The IEP team's consideration of the student's language needs and the extent to which they are affected, in any and all domains, by the student's disability or special needs;
 - The instructional model through which the student shall be provided EL services, as well as modifications to the student's educational program required by the student's disability or special needs, and an explanation



for why any such modifications are necessary. No modifications to the instructional model through which a student shall be provided EL services (including modifications to the amount of instruction or method of providing ESL) shall be implemented unless such modifications are determined necessary by the student's IEP team through a documented team process; and

- Any other team decision regarding the impact of the student's disability upon the delivery of EL services, or the impact of limited English proficiency on the delivery of special education or related services, and the basis for any modifications deemed necessary.

IEP-4 Current Performance Levels & Measurable Annual Goals

There should be a direct connection between the Current Performance

Levels and the Measurable Annual Goals. Current Performance Levels state what the student can currently do and identifies key stumbling blocks. The goals state what the student will accomplish by the end of the IEP period. The Current Performance Levels become the starting points for determining the goals and the goals become the end points for student accomplishment for the IEP period.

- Current Performance Levels that include more specific statements should lead to clearer, more helpful goals.
- Goal focus areas are determined by parent and student input, the vision statement, and the information in PLEP A and B and should be selected based on what will make the biggest difference in the student's school experience.
- Goals must be measurable and specify the knowledge, skill, behavior, etc. that is expected to be achieved by the end of the IEP period, which is typically one year. DESE notes that Teams will have to make choices about what can be accomplished reasonably in a single year's time. According to MA DESE's IEP Process Guide (6/2001) most IEPs should include 3-4 goals, however, ultimately the Team determines the number and types of goals to include.
- Goals must be measurable and attainable but also challenging to ensure that students with disabilities are being held to high standards.
- The goal page must state how the Team will determine and document if the student has met the annual goal.

IEP-4 Benchmarks/Objectives

- Benchmarks/objectives lay out sequential, logical steps towards reaching the annual goal and help organize the instruction for the IEP period.

IEP-5 Service Delivery



The first consideration for delivery of services should be in the general education environment.

- Consultations (which may be among service providers and/or may include parents) should be listed in **Grid A**.
- Direct special education and related services **provided in the general education classroom** should be listed in **Grid B** (e.g. inclusion services, push-in services).
- Direct special education and related services **provided outside of the general education classroom** should be listed in **Grid C** (e.g. substantially separate classroom, pull out Resource Room).
 - **PLEASE remember to list the actual role of the service provider who is required to deliver the service to the student (e.g. Special Education Teacher, Occupational Therapist, School Psychologist, etc.)**
- Extended School Year Services (ESY) are to be identified on the Grid

IEP-6 Nonparticipation Justification /Schedule Modification

In light of the strong legal preference for being educated in the general education environment, special education law requires a clear statement justifying why removal from the general education classroom is **required** for a particular student.

- Be specific in justifying why the student's needs cannot be met appropriately in the general education classroom even with supplementary aids and services
- Justification should explain why the Team is proposing that the student's specially designed instruction and/or related services must be delivered outside of the general education classroom, with the focus being on the student's needs.
- In **rare** cases, a student's school day must be shorter or longer than their non-disabled peers. In those instances, the shorter or longer day must be indicated on the IEP under Schedule Modification and the IEP must include a specific reason why the modified school day is being proposed.

Extended School Year (ESY)

ESY refers to special education and/or related services that are provided beyond the normal school year if a child's IEP Team determines that the child will substantially regress without certain services between school years.

- Teams must remember that all children "regress" (e.g. lose progress, forget, revert to previous behavior) to some extent between school years. Eligibility for ESY services focuses on whether the student's regression would likely be substantial, and whether the child would require a greater than usual time to "recoup"



previously learned skills (i.e. to get back to the level the student had achieved before a break in service).

- ESY programming may not be limited to children with special needs in certain program types (e.g. substantially separate settings) or to children with certain types of special needs. Decisions about ESY programs must be made on an individual basis, taking into consideration the unique needs of the child.
- Since ESY services are proposed in order to avoid substantial regression, the portion of the child's IEP for ESY services may differ somewhat from the portion of the IEP that governs the provision of services for the regular school year. ESY services should be listed on the Service Delivery grid.
- ESY is to be discussed and determined at each child's annual IEP meeting. School staff will complete screenings and/or collect data to help make individual recommendations. Throughout the school year, school staff are asked for ESY projections. Projections are used only for planning, are not definitive and do not replace the need for individual student IEP Team decisions.

Transportation

At each Annual Review Team meeting, the IEP Team must determine whether or not the student requires transportation as a direct result of the student's disability(ies). The Team shall determine necessary modifications, special equipment, assistance, need for qualified attendants on vehicles, and any other particular precautions required by the student and shall document such determinations in the student's IEP. If specialized arrangements can be provided on regular transportation vehicles, the school district shall make such arrangements since, as with other services, transportation should be provided in the least restrictive environment that is appropriate to meet a student's needs. Transportation for ESY must also be determined by the IEP team. BRCPS transportation is provided by Boston Public Schools. All transportation requests and requirements must be approved by Boston Public Schools.

IEP-7 Massachusetts State-wide assessments(MCAS)

Resources: [MCAS Information](#) and [ACCESS Information](#)

All students must participate in the grade-level state- and district-wide assessment programs, with or without accommodations. A student's IEP team determines how a student with a disability will participate in these assessments and documents this information in the annual IEP plan. If the IEP team determines that the student's disability prevents the student from taking the standard assessment, even with accommodations, the IEP's team must use an alternate assessment that is appropriate to the student's academic development. The IEP Team must indicate on the IEP why the student is



being recommended to be assessed through an alternate assessment. Accommodations used for assessment purposes should be closely modeled on the accommodations that are provided to the student as part of the student's instructional program.

To be on track to receive a regular high school diploma, students with IEPs must either (1) pass the standard state assessment (MCAS) or (2) complete an alternate (MCAS-Alt) 'competency portfolio' that documents student's knowledge and skills on the high school level standards. Multilingual learners with disabilities must also participate in the ACCESS for ELLs assessment, as required by DESE.

Participation Guidelines

All students with disabilities whose placements are funded by the district 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 Special Education administrator is responsible for:

- a. filing an MCAS performance appeal for a student with a disability when the student's parent or guardian or the student, if 18 or over, requests it, provided that the student meets the eligibility requirements for such an appeal;
- b. obtaining 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;
- c. 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. ²⁸

The following guidelines are intended to assist IEP and 504 Teams in deciding how each student with a disability will participate in MCAS. A separate decision must be made for **each subject** scheduled for testing, and may be revised each time the team convenes. It is possible for a student to take the standard test in one subject and the alternate assessment in another.

Characteristics of Student's Instructional Program and Local Assessment	Recommended Participation in MCAS
OPTION 1	

²⁸ SE 5 - 603 CMR 30.05(2),(3),(5)



<i>If the student is</i>	<i>Then</i>
a. generally able to demonstrate knowledge and skills on a paper-and-pencil test, either with or without test accommodations and is	The student should take the standard MCAS test, either with or without accommodations that are consistent with the instructional accommodation(s) used in the student's instructional program and that are documented in the approved IEP or 504 plan prior to testing.
b. working on learning standards at or near grade-level expectations , or is	
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	

Characteristics of Student's Instructional Program and Local Assessment	Recommended Participation in MCAS
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OPTION 2

<i>If the student is</i>	<i>Then</i>
a. generally unable to demonstrate knowledge and skills on a paper-and-pencil test, even with accommodations and is	The student should take the MCAS Alternate Assessment in this subject.
b. working on learning standards that have been substantially modified due to the nature and severity of his or her disability and is	
c. receiving intensive, individualized instruction in order to acquire, generalize, and demonstrate knowledge and skills	

OPTION 3

<i>If the student is</i>	<i>Then</i>
---------------------------------	--------------------



<p>a. working on learning standards at or near grade-level expectations and is</p>	<p>The student should take the standard MCAS test, if possible, with necessary accommodations that are consistent with the instructional accommodations(s) used in the student's instructional program and that are documented in the approved IEP or 504 plan prior to testing.</p>
<p>b. sometimes able to take a paper-and-pencil test, either without or with one or more test accommodation(s), but is</p>	<p>However, the team may recommend the MCAS Alternate Assessment when the nature and complexity of the disability prevent the student from fully demonstrating knowledge and skills on the standard test, even with accommodations (see the following page for some examples of a student that may fit in this category).</p>
<p>c. presented with unique and significant challenges in demonstrating knowledge and skills on a test of this format and duration</p>	

Unique Circumstance in Which a Student May Be Considered for an MCAS Alternate Assessment

An **alternate assessment** may be administered, for example, in each of the following situations:

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

MCAS Alternate Assessment (MCAS-Alt)



Teachers who are conducting alternate assessments are strongly encouraged to participate in an MCAS-Alt training session offered by the Department of Elementary and Secondary Education.

New Requirement for MCAS-Alt Takers:

Starting in the Spring of 2025, all MCAS-Alt takers will be required to have this decision making tool completed. Notably they will need to be *"functioning two or more standard deviations below the mean on commonly accepted norm-referenced assessments in both cognitive functioning and adaptive behavior (e.g., two or more adaptive skill areas such as daily living skills, communication, self-care, social skills, and academic skills)."*

Please use evidence from three-year evaluations to meet this requirement.

[Decision-Making Tool for MCAS-Alt Participation by Students with Disabilities](#)

In spring 2025, any student who meets the updated criteria for students with the most significant cognitive disabilities and will participate in the MCAS-Alt must have a completed Companion document: Alternate Assessment Participation Tool. Please review the Sample MCAS-Alt Participation Tool for further information.

FROM DESE

Other MCAS-ALT information:

- **a. MCAS-Alt Participation Criteria "Office Hours" Session**
DESE will offer a virtual "office hours" session on **Thursday, January 18, from 1:00 to 2:30 p.m.** to answer questions and provide guidance on the updated [Decision-Making Tool for MCAS Participation by Students with Disabilities \(Appendix A of the Accessibility and Accommodations Manual\)](#) (download). During the session, DESE will clarify the criteria for students with the most significant cognitive disabilities, discuss DESE's expectations for this school year, and show a [sample](#) completed Participation Tool. [Registration](#) is currently available. Special education directors and administrators are encouraged to attend. Please contact mcas@doe.mass.edu with questions.
- **b. Clarification for the Companion Document: Alternate Assessment Participation Tool**
If the IEP team for a student participating in the 2024 MCAS-Alt did not use the updated [decision-making tool](#) (download), the school does **not** need to upload



the [Companion document: Alternate Assessment Participation Tool](#).

In **spring 2025**, any student who meets the updated criteria for students with the most significant cognitive disabilities and will participate in the MCAS-Alt **must** have a completed [Companion document: Alternate Assessment Participation Tool](#). Please review the [Sample MCAS-Alt Participation Tool](#) for further information.

- **c. MCAS-Alt January Review Sessions** [Registration](#) is available for MCAS-Alt review sessions in January. Please encourage teachers submitting the MCAS-Alt to register for a session. Further details are available [here](#) (download).

Please refer to the **Requirements for the Participation of Student with Disabilities in MCAS** (see *appendix*) for more information on MCAS and MCAS-Alt guidelines, as well as, the list of standard and non-standard accommodations.

MCAS Extras – Things to Know

- The Director (or designee) must request available specialized test formats (for example, a large-print test or multiple copies of the same test to read aloud with a group of students).
- A student who does not have a documented disability is NOT ELIGIBLE to receive accommodations on MCAS tests, regardless of whether the student already receives instructional support or accommodations.
- Students either with a recently occurring disability, a recent change in his or her disability status, or a student with a temporary disability should be put on a 504 plan immediately if accommodations are needed.
- All MCAS test administrations are **untimed**. However, no single test session may extend beyond the end of the regular school day, and any single test session must be completed on the same day in which it begins.
- English Language dictionaries are permitted for use by **ALL** students on the **ELA Composition only**.

IEP-8 Additional Information

Include important transition information such as:

- student's anticipated graduation date
- if the student has received a Certificate of Attainment
 - for students working towards a high school diploma, indicating that they have met local graduation requirements but not competency determinations for ELA, Math, and Science



- for students participating in MCAS-alt, team determination on annual expectations
- any interagency relationships
- documentation of whether Age of Majority was discussed at least 1 year before student turns 18
- whether there is a recommendation for a Chapter 688 referral for students who may require continued disability-related services after graduating or turning 22 (whichever occurs first)
- Document efforts to obtain participation if parent and/or student did not attend meeting or provide input
- Include information about an Extended Evaluation (if applicable) (see Extended Evaluation discussed earlier in this Manual).
- Record any other relevant IEP information not previously stated in IEP (e.g. outcome of any discussion about bullying, harassment and teasing required by the Bullying Prevention and Intervention law).
- May be used to indicate that the parent/guardian received a copy of the Procedural Safeguards

Implementation of the IEP

- Where the IEP of the student in need of special education has been accepted in whole or in part by that student's parent, the school district provides the mutually agreed upon services **without delay**. 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 is informed of his or her specific responsibilities related to the implementation of the student's IEP and the specific accommodations, modifications, and supports that must be provided for the student under it.
- The school district does not delay implementation of the IEP due to lack of classroom space or personnel, provides as many of the services on the accepted IEP as possible and immediately informs parents in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and offers alternative methods to meet the goals on the accepted IEP. Upon agreement of the parents, the school district implements alternative methods immediately until the lack of space or personnel issues are resolved. ²⁹

Amendments to the IEP

²⁹ SE 22 - 603 CMR 28.05(7)(b); 28.06(2)(d)(2)



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 as long as the change does not affect placement. Upon request, a parent is provided with a revised copy of the IEP with the amendments incorporated.³⁰

TRANSLATION PROCEDURES

- ALL requests for translation must be sent through the The Special Education Team Chair and ESL Coordinator.
- Staff must translate the portions they are responsible for using Google Translate
- The Special Education Team Chair will translate the completed IEP through the Frontline system
- The Special Education Team Chair must send a translated copy of the IEP to the parent/guardian within 10 school days after the Team meeting is held

THE PARENT SHOULD SIGN THE TRANSLATED VERSION.

Special Considerations

Students with Autism Spectrum Disorder

For students identified as having an Autism Spectrum Disorder (ASD), the IEP Team must consider the each of the following areas as well as record the outcome of the discussion of the possibility of the student being a target or aggressor of bullying and the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.

Please use the Autism Checklist (appendix), also in Frontline.

- Verbal and nonverbal communication needs of the student.
- Need to develop social interaction skills and proficiencies.
- Needs resulting from the student's unusual responses to sensory experiences.
- Needs resulting from resistance to environmental change or change in daily routines.
- Needs resulting from engagement in repetitive activities and stereotyped movements.

³⁰ SE 14 - 603CMR28.04(3)(b)



- Need for any positive behavioral interventions, strategies and supports to address any behavioral difficulties resulting from autism spectrum disorder.
- Other needs resulting from the student's disability that impact progress in the general curriculum, including social and emotional development

USE OF THERAPY DOGS IN SCHOOLS

The school district supports the use of therapy dogs for the benefit of its students, subject to the conditions of this policy. Benefits from working or visiting with a therapy dog include reduced stress, improved physical and emotional well-being, lower blood pressure, decreased anxiety, improved self-esteem and normalization of the environment, increasing the likelihood of successful academic achievement by the student. Examples of activities that students may engage in with a therapy dog include petting and/or hugging the dog, speaking to the dog, giving the dog simple commands that the dog is trained to respond to and reading to the dog.

Animal Assisted Activities and Animal Assisted Interactions are non goal-driven interactions where the specific content of the visit is spontaneous and is meant to provide motivational, educational and/or recreational activities that enhance the quality of life.

Animal Assisted Therapy is a goal-driven intervention which is directed and/or delivered by a health, human or education service professional and is meant to improve physical, social, emotional and/or cognitive functioning of an individual.

A therapy dog is a dog who has been individually trained, evaluated and registered with his/her handler to provide animal assisted activities, animal assisted therapy and animal assisted interactions within a school or other facility. Therapy dogs are not "emotional support animals" or "service animals."

A handler is an individual school district staff member or volunteer who owns a therapy dog and who has been individually trained, evaluated and registered with his/her therapy dog to provide animal assisted activities, animal assisted therapy and animal assisted interactions within a school or other facility.

A therapy dog is the personal property of the handler and is not the property of the school district. The handler shall assume full responsibility for the therapy dog's care,



behavior and suitability for interacting with students and others in the school while the therapy dog is on school district property.

Therapy Dog Standards and Procedures

The following requirements must be satisfied before a therapy dog will be allowed in school buildings or on school district property:

Request: At the request of the principal or his/her designee, a handler who wishes to bring a therapy dog to school district property shall submit a completed written request form to the Superintendent or the Superintendent's designee, for approval. (The request form is attached to this policy.) The request shall be submitted for approval each school year and/or whenever the handler wishes to use a different therapy dog. Such approval may be rescinded at any time at the sole discretion of the superintendent. Once the Superintendent or the Superintendent's designee approves the request, a plan for dog visits shall be developed with the Principal or the Principal's designee.

Training and Registration: The handler shall submit proof of registration as a therapy dog handler with each individual therapy dog he or she plans to bring to the school district. Such registration shall be from the Intermountain Therapy Dog, Pet Partners, Bright and Beautiful or such other therapy dog registering organization as determined by the superintendent. Such registration shall be from an organization that requires an evaluation of the therapy dog and handler prior to registration and at least every two years and shall remain current and in good standing at all times.

Health and Vaccination: The handler shall submit proof from a licensed veterinarian that the therapy dog is in good health and has been immunized against diseases common to dogs. Such vaccinations shall be kept current and up to date all times.

Licensing: The handler shall submit proof of licensure from the local dog licensing authority.

Insurance: The handler must submit a copy of an insurance policy that provides liability coverage for the work of the handler and therapy dog while the two are on school district property.



Once a handler has been approved by the superintendent to bring a therapy dog on school district property, such handler shall adhere to the rules of his/her registering organization and the following rules of the school district:

Identification: The handler and therapy dog shall wear appropriate identification issued by the registering organization identifying them as a registered handler and therapy dog. The handler shall bring only registered therapy dogs onto school district property and may bring only one such dog at a time. The handler shall not bring young children along to the school district when handling a therapy dog.

Health and Safety: The handler shall ensure that the therapy dog does not pose a health and safety risk to any student, employee, or other person at school and that the therapy dog is brought to the school district only when properly groomed, bathed, free of illness or injury and of the temperament appropriate for working with children and others in the schools.

Control: The handler shall ensure that the therapy dog wears a collar or harness and a leash no longer than four feet and shall maintain control of the therapy dog by holding the leash at all times that the therapy dog is on school district property, including during breaks, unless holding such leash would interfere with the therapy dog's safe, effective performance of its work or tasks. However, the handler shall maintain control of the therapy dog at all times and shall not tether the therapy dog to any individual or object.

Supervision and Care of Therapy Dog: The handler shall be solely responsible for the supervision and humane care of the therapy dog, including any feeding, exercising, and cleaning up after the therapy dog while the therapy dog is in a school building or on school property, shall not leave the therapy dog unsupervised or alone on school property at any time and shall limit the therapy dog's work to two consecutive hours at a time. The school district is not responsible for providing any care, supervision or assistance to the therapy dog.

Authorized Area(s): The handler shall ensure that the therapy dog has access to only such areas of the school buildings or properties that have been authorized by school district administrators.



Allergies and Aversions: The handler shall remove the therapy dog to a separate area as designated by the school administrator in such instances where any student or school employee who suffers dog allergies or aversions is present in an office, hallway or classroom.

Recordkeeping: Volunteer handlers shall sign themselves and their therapy dog in upon arrival at any school and shall sign both out on departure from the building. Handlers who are school district staff shall sign in their therapy dog upon arrival and sign him/her out on their departure.

Photographs: The handler shall not take any photographs of students or staff without first obtaining a photo release.

Fees and Gratuities: The handler shall not charge a fee for the work they perform with the therapy dog, shall not borrow money or personal items or receive any personal gratuity, gift or tip, such as money or jewelry from students in the district.

Multiple Therapy Dogs on Site: The handler shall confirm whether or not there will be any other therapy dog(s) on site prior to scheduling any visit with a therapy dog and shall take steps with appropriate staff to ensure that the dogs do not engage inappropriately while on school property. When multiple therapy dogs are engaged in a planned activity on school district property, the handlers shall ensure that the dogs have an opportunity to greet each other prior to entering the school building. Once inside the building, the handlers shall ensure that the dogs are each on a four-foot leash, given work space at least eight feet from each other and are given no opportunity for contact or socialization with each other while working.

Damages and Injuries: The handler shall assume full responsibility and liability for any damage to school property or injury to district staff, students or others in the school caused by the therapy dog.

Exclusion or Removal from School District Property: A therapy dog may be excluded from school district property if a school administrator determines that: (1) The handler does not have control of the therapy dog; (2) The therapy dog is not housebroken; (3) The therapy dog presents a direct and immediate threat to others in the school; or (4) The therapy dog's presence otherwise interferes with the educational program. The



handler shall immediately remove his/her therapy dog from school property when instructed to do so by a school administrator.

The request below must be completed each year by the handler and must receive approval prior to entering school property.

Request to use Therapy Dog in School

[Board of Education Policy 6213](#) governs the use of therapy dogs in schools. The request shall be submitted to the Superintendent of Schools (or Designee) for approval each school year and/or whenever the handler wishes to use a different therapy dog.

Name of Handler: _____

Date: _____

Handler Address: _____

Handler Phone Number: _____

Handler Email: _____

Name of Dog: _____

School/Classroom where the Dog will be
used: _____

Please describe, in detail, what the dog will do at the school?

Please attach the following to this form:

- Proof of registration as a therapy dog handler with the individual therapy dog to be used (Note: Such registration shall be from an organization that requires an evaluation of the therapy dog and handler prior to registration and at least every two years)
- Proof from a licensed veterinarian that the therapy dog is in good health and has



been immunized against diseases common to dogs. Such vaccinations shall be kept current and up to date all times.

- Proof of licensure from the local dog licensing authority.
- Copy of an insurance policy that provides liability coverage for the work of the handler and therapy dog while the two are on school district property.

Handler's Signature: _____

Date: _____

Principal's Signature: _____

Date: _____

Superintendent's (or Designee)

Signature: _____ Date: _____

Reading an IEP

The chart below represents frequently asked questions referring to reading the IEP. Additionally, it provides information as to where to find the answers within the specific sections of the document.

	Service Delivery	Goals Page	PLEP A	PLEP B	Student Strengths
What accommodations should I provide in the classroom?			X		
How often is my student being pulled from the classroom?	X				
What types of accommodations should I be providing my student during MCAS?			X	X	
What is the student working on in reading and in math?		X			



What types of accommodations should I be providing my students during non-academic time?				X	
How did the student perform on the education, psychological or related service evaluation?					X
What type of instruction should the student be getting?			X	X	X
How does the disability affect the student in the classroom?			X	X	
How is the student performing currently?		X			X
Is the student receiving related services (OT,etc.)?	X				



Least Restrictive Environment (LRE)

PL-1 Placement

The Special Education Team Chair must ensure that the IEP Team understands that both federal and state special education laws require that children on IEPs are to be educated in general education settings with their non-disabled peers, **to the maximum extent appropriate**. This requirement is commonly referred to as a mandate that students on IEPs are to be educated in the "least restrictive environment" (LRE) appropriate to meet their needs. IDEA explicitly states that:

- To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- Special classes, separate schooling, or other removals of children with disabilities from the regular educational environment occur only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

"Regular educational environment" encompasses general education classrooms and other settings in schools such as lunchrooms and playgrounds in which non-disabled peers participate.

The IDEA also requires public schools to ensure that a "continuum of alternative placements" is available to meet the unique needs of children on IEPs. The continuum is the range of potential placements where a public school may implement a child's IEP, beginning with a general education classroom and progressively becoming more restrictive as one moves along the continuum and away from the general education classroom. IDEA's requirement that there be a continuum of alternative placements reinforces the idea that placement in a general education classroom may not be appropriate for every student on an IEP and that the placement decision is an individualized decision based on each child's unique needs as set forth in the child's IEP.

The IEP forms the basis for the Team's placement decision, and, as noted above, both federal and state special education laws mandate that the IEP Team's placement decision be made in conformity with the LRE requirement. Consequently, at the Team meeting, after the IEP has been developed in its entirety, the Team makes a placement decision. The Team must consider the identified needs of the student, the types of



services required, and whether such services may be provided in a general education classroom with supplementary aids and/or services. If the IEP may be implemented satisfactorily with the provision of supplementary aids and services in the general education classroom, the placement is the LRE for that student. If, however, the student's IEP cannot be implemented satisfactorily in the general education classroom, even with supplementary aids and services, then the general education classroom is not the LRE placement that is appropriate for that student at that particular time. In implementing the LRE provision, the general education classroom is the first placement option that must be considered before a more restrictive setting is considered. Also, a child on an IEP is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum. Both federal and state law also provide that in selecting the LRE, consideration must be given to any potential harmful effect on the student or on the quality of the services that the student needs. In addition, although there is a strong legal preference for educating students in general education settings, an IEP Team also must be mindful of the obligation to propose an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.

Consistent with this redesign and the legal mandate that students on IEPs be educated with their non-disabled peers to the maximum extent appropriate, the first placement option a Team must consider for each student with a disability must be the general education classroom with the provision of needed aids and services. Similarly, a placement within BRCPS always should be considered and proposed before an out-of-district placement is considered. If the Team determines that an out-of-district placement is necessary, the Team must review programs offered in Boston Public Schools as BPS is the home district for all BRCPS students.

Other placement considerations include:

- IEPs should be written to address the unique needs of the student. IEPs should not be written "to fit" a particular placement.
- Use the PL-1 form to document the Team's placement decision.
- Once the placement of where the IEP is proposed to be implemented is confirmed, the Special Education Team Chair will finalize the IEP, PL-1 form, N1



form, and Transition Planning Form (if applicable) and send to the parents along with a Notice of Procedural Safeguards.

- If the parent accepts the placement proposal, enter and process signature in Frontline. Prepare the student for transition, if appropriate.
- If the parent rejects the proposed placement, enter the rejection in Frontline (verify whether or not the parent has requested a meeting). Investigate the reason for the parent's rejection and try to find a solution. Contact your Director or Assistant Director for support, if needed.

Instructional grouping requirements:³¹

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
- 16 students if the certified special educator is assisted by 2 aides

For eligible students served in settings that are substantially separate, serving solely students with disabilities for **more than 60% of the students' school schedule**, the district provides instructional groupings that do not exceed:

- 8 students to 1 certified special educator
- 12 students to 1 certified special educator and 1 aide

The ages of the youngest and oldest child 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.³²

³¹ SE 40 – 603 CMR 28.06 (6)

³² SE 41 - 603 CMR 28.06(6)(f)



MultiLingual Learners with Disabilities (MLWDs)

In alignment with the forthcoming BRCPS support for Multilingual Learners, this Special Education Procedures Manual will be updated as needed to address the service needs of MLWDs with disabilities as well as to delineate the roles and responsibilities of BRCPS staff.

Multilingual Students Enrolling in BRCPS

For ML students enrolling in BRCPS, BRCPS registration and intake staff shall refer appropriate students to the BRCPS Student Services Department for potential evaluation or provision of special education and/or related services if they have a current IEP or if there is some other indication that the student may have a disability or may require special education and/or related services.

MLs Suspected of Having A Disability

Under federal and state special education law, school districts must refer and evaluate students who have or may have a disability and provide special education and related services in a timely manner, including English learner (EL) students. A student's status as an EL is not, in and of itself, a basis for determining whether the student has a disability. A child may not be determined to be a "child with a disability" pursuant to the IDEA or Section 504 if the determinant factor for that determination is limited English proficiency.

Conducting Appropriate Evaluations for Eligibility Determinations for IEP or Section 504 Plan

- Prior to evaluating a ML student to determine eligibility for an IEP or Section 504 Plan, BRCPS, to the extent practicable, should gather appropriate information about the student's previous educational background, including any previous language-based interventions.
- When conducting evaluations to determine eligibility for an IEP or Section 504 Plan, BRCPS must ensure that assessments and other evaluation materials used to assess a child are:



- selected and administered so as not to be discriminatory on a racial or cultural basis; provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it clearly is not feasible to so provide or administer;
 - used for the purposes for which the assessments or measures are valid and reliable; administered by trained and knowledgeable personnel; and
 - administered in accordance with any instructions provided by the producer of the assessments.
- Even if a ML student's parents have opted their children out of EL programs, a school district must ensure that assessments and other evaluation materials used to evaluate a child with a disability are "provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer." Dear Colleague Letter: English Learner Students and Limited English Proficient Parents (1/7/2015), page 26.
 - In interpreting evaluation data for the purpose of determining if a child is a "child with a disability" pursuant to the IDEA and the educational needs of the child, the public school must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior and ensure that information obtained from all of these sources is documented and carefully considered.

IEP Team Considerations Regarding Provision of Special Education & Related Services & EL Services

- MLSWD must receive both language instruction and disability-related services concurrently, in the scope and manner necessary to meet students' needs, and in the least restrictive environment. Districts are responsible for providing MLSWD special education services and ELE programs, which may include the adaptation of content, methodology, instructional delivery, and assessments based on



student's linguistic needs. Regardless of the severity of a disability, students are entitled to receive language assistance services that promote the attainment of English proficiency and that incorporate WIDA English Language Development (ELD) standards and Massachusetts Curriculum Frameworks.

- The IEP Team develops an IEP that proposes the special education and/or related services that will enable the student to progress in the content areas of the general education curriculum, including the ELE program, due to the student's unique needs arising from a disability.
- In developing an IEP for a student with limited English proficiency, the IEP Team must consider the student's level of English language proficiency (ELP), including both second language conversational skills as well as academic language proficiency. Therefore, the IEP Team must consider the student's level of ELP in listening, speaking, reading and writing, to support and strengthen implementation of the IEP goals.
- Be sure that the IEP team or 504 team includes an individual who has expertise regarding the student and understands how language develops as well as strategies that can be used when educating a ML student.

ESL Instruction

BRCPS shall provide all ELs, including ELs on IEPs or Section 504 Plans (subject to a rare and narrow exception), with at least 1 class period of English as a Second Language (ESL) instruction unless the EL's parent/guardian formally refuses such EL services in writing. Such rare and narrow exception for not providing any EL services exists **only if** the IEP team (which must include the EL Representative/EL Coordinator determines and documents in a student's IEP or Section 504 Plan that the student's disability is so severe that it would be unreasonable to expect that the student will ever be capable of using or understanding language.

Ensuring MLSWD Have Equal Access to BRCPS Offerings

- BRCPS shall ensure that directors factor the needs of MLSWD, including those in substantially separate placements, in each school's organizational and staffing plans and provide these students with EL services delivered by appropriately qualified personnel.



- All students, regardless of their national origin or EL status have equal access to the general education program and the full range of related service education programs offered by the district. BRCPS shall not, due to a student's EL status or national origin, or because an EL's school of choice lacks space in an EL program or programs, deny any EL (a) access to the full range of school placement options available to non-ELs, or (b) the EL services required. BRCPS must ensure that ELs and their parents/guardians are not forced to choose between options they desire and receipt of required EL services.
- BRCPS must provide high-quality services to all ELs, particularly EL with disabilities, including age-appropriate curricula, enrichment programs, and access to advanced coursework and dual language programs. BRCPS must ensure that ELs are taught to the same academic standards and curriculum as all students and must provide the same opportunities to master such standards as other students, including the opportunity to enter academically advanced classes, receive credit for work done, and have access to the full range of programs. BRCPS must use grade appropriate content objectives for ELs that are based on the district curricula in English language arts, history and social science, mathematics, and science and technology/engineering, taught by qualified staff members.
- BRCPS must not segregate English learners (ELs) from their English-speaking peers, except where programmatically necessary, to implement an ELE program. BRCPS also must ensure that ELs participate fully with their English-speaking peers and are provided support in non-core academic courses.
- BRCPS must provide access to the full range of academic opportunities and supports afforded non-ELs, such as special education services, Section 504 Accommodation Plans, Title I services, and the supports outlined in the district's curriculum accommodation plan.
- If the district provides separate facilities for members of a specific group (e.g. ELs or disabled), those facilities must be comparable to those offered to other students in the district.
- BPS shall ensure that ELs are integrated, to the extent practicable, with general education students in school functions, co-curricular activities, and extracurricular activities.

Documentation EL Student's IEP team or 504 team Must Consider and Maintain:



- A record of student's language proficiency testing results;
- A record of that student's first language educational history, if any;
- Documentation of the special education assessments used to determine the student's disability or special needs, the language in which special education assessments were conducted, and the reasons for testing in that language;
- Documentation of the team's consideration of any effect language development issues might have on special education assessment results; Documentation that specifically tracks the length of time from (i) initiation of any pre-referral intervention to (ii) the date of referral, (iii) the date of evaluation, and (iv) the date on which an IEP or Section 504 Plan was proposed; and
- Documentation, with specificity, in any new or revised IEP or Section 504 plan of:
 - Any accommodations for, or modifications to, standard language proficiency assessment procedures required by the student's disability or special needs, as well as
 - an explanation for why accommodations and/or modifications are necessary;
 - The IEP team's or Section 504 team's consideration of the student's language needs and the extent to which they are affected, in any and all domains, by the student's disability or special needs;
 - The instructional model through which the student shall be provided EL services, as well as modifications to the student's educational program required by the student's disability or special needs, and an explanation for why any such modifications are necessary. No modifications to the instructional model through which a student shall be provided EL services (including modifications to the amount of instruction or method of providing ESL) shall be implemented unless such modifications are determined necessary by the student's IEP team or Section 504 team through a documented team process; and
 - Any other team decision regarding the impact of the student's disability upon the delivery of EL services, or the impact of limited English proficiency on the delivery of special education or related services, and the basis for any modifications deemed necessary.
- Multilingual learners with disabilities must participate in the ACCESS for ELLs assessment, regardless of the EL services they receive, to comply with federal



and state laws. [Massachusetts Guidance on Assessing Comprehension and Communication](#) in English State-to-State for English Language Learners (ACCESS)

- Multilingual learners with disabilities must participate in all MCAS testing scheduled for their grades regardless of the program and services they are receiving, with the exception of multilingual students who are in their first year of enrollment in U.S. schools (i.e., students first enrolled after the March SIMS submission), for whom ELA testing is optional; and students taking the MCAS Alternate Assessment (MCAS-Alt) who must take alternate assessments in the grades and subjects required for students in that grade.

Bullying, Harassment, and Teasing

Massachusetts has enacted comprehensive legislation to address bullying in schools that requires school leaders to create and implement strategies to prevent bullying and to address bullying and retaliation promptly and effectively if they occur. While schools have an obligation to teach all of students the skills needed to avoid and respond to bullying, harassment and teasing, the law has specific sections focused on students on IEPs. Those sections provide as follows:

- Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.
- 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.

As noted above, the anti-bullying law refers to three groups – students with disabilities

- on the autism spectrum;
- when the disability affects social skills development; and
- when the disability may result in vulnerability to bullying, harassment or teasing

IEP Teams for these three groups of students must carefully consider the supports needed to build each student's social skills and proficiencies to avoid and respond to bullying, harassment and teasing. Toward that end, MA DESE's Technical Assistance



Advisory SPED 2011-2 has offered the following list of core categories of skills and proficiencies needed to avoid or respond to bullying, harassment, and teasing developed by The Collaborative for Academic, Social, and Emotional Learning (CASEL). This non-exhaustive list of skills and proficiencies not only may be incorporated into a school district's general curriculum but also may be identified in a student's IEP and include:

- **Self-Awareness:** accurately assessing one's feelings, interests, values, and strengths/abilities, and maintaining a well-grounded sense of self-confidence.
- **Self-Management:** regulating one's emotions to handle stress, control impulses, and persevere in overcoming obstacles; setting personal and academic goals and then monitoring one's progress toward achieving them; and expressing emotions constructively.
- **Social Awareness:** taking the perspective of and empathizing with others; recognizing and appreciating individual and group similarities and differences; identifying and following societal standards of conduct; and recognizing and using family, school, and community resources.
- **Relationship Skills:** establishing and maintaining healthy and rewarding relationships based on cooperation; resisting inappropriate social pressure; preventing, managing, and resolving interpersonal conflict; and seeking help when needed.
- **Responsible Decision-making:** making decisions based on consideration of ethical standards, safety concerns, appropriate standards of conduct, respect for others, and likely consequences of various actions; applying decision-making skills to academic and social situations; and contributing to the well-being of one's school and community.

Many students will receive support in developing appropriate skills and proficiencies needed to avoid or respond to bullying, harassment, or teasing through general education instruction. The IEP Team must consider:

- Are there skills and proficiencies that the Team has determined the student needs but would be unlikely to learn solely within the general education curriculum?



- Are there any supports the student requires in order to learn the needed skills through the existing general education curriculum? As appropriate, the IEP Team should include in the IEP any accommodations needed to access the general education bullying prevention and intervention curriculum as well as any goals/objectives, special education, and/or related services related to learning the necessary skills.
- Are there modifications or services needed for the student to be involved in, and progress in, the school's general education bullying prevention and intervention curriculum? If yes, the IEP should reflect the needed modifications or services.

Teams also must ensure that students can participate fully in the procedures related to the reporting and investigation of bullying incidents.

The following are sample considerations that the Team may include in a student's IEP, as appropriate:

- Provide instructional personnel or supplementary aids and services during identified periods of the school day (e.g., lunch, recess, study hall, bus) when the student requires additional support.
- Identify a "safe" adult to whom the student can go for support when feeling vulnerable or targeted.
- Provide additional counseling for skill-building supports to prevent or respond to bullying.
- Provide a communication skills/social pragmatics skills group.
- Conduct a Functional Behavioral Assessment and develop a Behavioral Intervention Plan that identifies target or aggressor behaviors, identifies antecedents to these behaviors, and proposes interventions for teaching the student to reduce and/or avoid these behaviors.
- Teach appropriate responses to bullying, harassment, and teasing.
- Provide opportunities for the student to develop and practice a safety action plan.
- Identify skills or accommodations necessary to make effective progress - educationally and socially.

MA DESE also has written a resource document that explores this issue in greater detail entitled "Addressing the Needs of Students with Disabilities in the IEP and in School



Bullying Prevention and Intervention Efforts (2/11/2011)." (appendix E)

The IEP should document that the IEP Team had a discussion about bullying, harassment and teasing when required by law to have such a discussion as well as the outcome of the discussion. The Additional Information Section of the IEP would be an appropriate place to document that this discussion occurred and the outcome of the discussion. Below are examples of statements that could be included in an IEP:

- Due to Grace's social skill challenges, the Team agrees she is at risk of being bullied, harassed or teased, or having her language or behavior be misperceived as bullying, harassment or teasing. Objectives have been added to her Social Skills Goal to address social pragmatic skill development.
- The TEAM considered Francesca's level of social skills development and disability. At this time, the TEAM concluded that Francesca is not lacking in social skills development and her disability is not likely to make her more vulnerable to teasing, harassment and/or bullying.
- Due to Cheyenne's social skill challenges, the Team agrees she is at risk of being bullied, harassed or teased, or having her language or behavior be misperceived as bullying, harassment or teasing. Benchmarks have been added to her counseling goal to address this skill development. Cheyenne can access the school counselor whenever she feels the need and can participate in additional individual counseling sessions if any issues arise.
- The Team considered Amard's level of social skills development and disability. Due to his pragmatic language disability as well as his cognitive and language delays, the Team concluded that Amard is vulnerable to bullying, harassment and teasing. Amard's words and/or behaviors may be perceived as bullying, so a goal has been added to the IEP to address this issue.

Specific Age Groups- NA for BRCPS

Ages Three (3) – Five (5)

The IEP team must address the transition process from preschool to elementary school for students aged three (3) through five (5).

The Early Childhood Liaison and/or Coordinator should:

- with parental consent, update the student's assessment information



- convene an IEP meeting at which updated information is shared and goals and objectives are developed with consideration of Kindergarten placement

Age 14+ (See Section on Transition Services and Age of Majority)

Annual Review and IEP Team Meetings

As is referenced above in the manual, once a student is found eligible for an IEP, the student's IEP Team must meet at least once a year to review the student's progress towards the IEP goals and objectives and to develop a successor IEP. An annual review meeting must be held, and a new IEP developed, before the IEP expires. An IEP Team should be proactive and meet more than the required annual meeting if there are concerns about the student and the student's educational programming (e.g. declining grades, absenteeism, psychiatric hospitalization, disciplinary incidents). After an Annual Review meeting has been held, the parent and BPS may agree to amend the IEP without the need for an IEP Team meeting, however, this agreement should be in writing.

Scheduling Annual Review Meetings: At least ten (10) days prior to the Annual Review IEP Team meeting, the SEAC should send the following documents to the parent/guardian:

- Notice of a Team Meeting (N3 Form)
- Attendance Sheet (N3A Form)
 - *All written notices must be given in the primary language of the parent/guardian.

The SEAC is responsible for inviting all required Team participants (see IEP Team Process above for list of required Team members and process for excusing Team member from meeting).

The Meeting

At the Annual Review Meeting, the Team should review progress towards the previously developed annual goals, adjust the IEP in any necessary section to ensure the information is current, and add new goals for the next IEP period. Services for each



student must be individually considered and recommended and should not depend on known or existing services. Services within the IEP may assist the student with the following:

- To reach the IEP goals
- To be involved and progress in the general curriculum
- To participate in extracurricular and nonacademic activities
- To allow the student to participate with nondisabled students while working towards the IEP goals

When writing an IEP, Team members must ensure that students with disabilities are not removed from the general education environment unless the nature or severity of the student's disability is such that education in the general education environment with supplementary aids and services cannot be achieved satisfactorily.

If the student is not making the progress the Team had expected or is demonstrating additional areas of need, the Team should consider proposing an evaluation targeted to the area of concern. If the school-based Team proposes an evaluation, the Team still must develop an IEP based on existing information while also starting the evaluation process.

If the student is no longer suspected of needing special education and/or related services, then the school-based Team must propose a comprehensive re-evaluation since a decision to find a student is no longer eligible for an IEP cannot occur without current evaluations.

The original IEP Proposal Summary Form is given to the parent/guardian at the Team meeting and a copy is filed in the student's folder. If a draft IEP is given to the parent, then an IEP Proposal Summary Form does not need to be given.

The IEP, along with a completed N1 detailing the district's proposal and a PL1 (Placement Consent Form) indicating where the child will be receiving his/her special education services, should be provided to the parent.

Massachusetts special education regulations require that schools provide the IEP to the parents "immediately" following its development. On 12/1/2006, MA DESE issued



"Memorandum on the Implementation of 603 CMR 28.05(7): Parent response to proposed IEP and proposed placement" that states that schools may take no more than 2 calendar weeks (usually the equivalent of 10 school working days) to prepare the complete IEP for the parent's signature **if**, at the conclusion of the IEP Team meeting, the school provides the parent with a summary of the key decisions and agreements reached at the Team meeting, with the understanding that the summary must, at a minimum, include: (1) a completed IEP service delivery grid with types and amounts of special education and/or related services proposed by the district and (2) a statement of the major goal areas associated with those services. The MA DESE memorandum also states that there may be circumstances when the parent is ready to accept the IEP immediately in order to begin services for the student and thus may ask for the completed IEP. In these circumstances, the school must provide the complete IEP to the parents within three (3) to five (5) school days of the Team meeting at which it was developed.

IEP Amendments

An IEP Amendment form should be used anytime the Team decides to change the content of an existing IEP. The completed amendment always should be attached to the IEP that it is intended to amend. **The form should be used for minor IEP adjustments only and should not be used if IEP service changes also will require a change in educational placement.** The explanation of a proposed change should include the IEP section(s) that the change will affect. To complete the process, attach Administrative Data Sheet (ADM 1) to the completed IEP Amendment before sending to parents as an attachment to Notice of Proposed School District Action (N1 Form).

Placing a child on a shortened schedule is considered a change in placement, so a new IEP must be proposed rather than using the IEP Amendment form, with the new IEP including the basis for the proposed shortened schedule as well as the minutes of service.

Amending an IEP **does not** alter the annual review date of the IEP. Unless specifically amended, the annual review date remains the date indicated on the existing IEP.

Students with IEPs Moving into BRCPS



Move within Massachusetts: When an eligible student or student's family changes residence from one Massachusetts school district to another, the last IEP written by the former school district and accepted by the parent shall be provided in a comparable setting without delay until a new IEP is developed and accepted. If the IEP is active and accepted, the IEP will be entered by the SEAC and communicated to families. The SEAC will schedule an IEP conversion meeting with the student's TEAM to review and revise the IEP from the former school district and make it appropriate for BRCPS.

However, if the IEP has expired, the IEP will be entered and the services as outlined in the last accepted IEP will be delivered. The SEAC will be notified that the IEP has expired and will schedule an Annual Review Team meeting.

Move from Out of State: If a student found eligible in another state moves to Massachusetts, the new Massachusetts district of residence shall provide the student with a free appropriate public education, including special education services comparable to those in the IEP from the former state, in consultation with the parents, until the Massachusetts district determines if it will accept the finding of eligibility and/or the current IEP developed for the student in the former state of residence. If the Massachusetts district determines that the finding of eligibility and the IEP developed for the student continues to accurately represent the needs of the student, then the Massachusetts district shall continue to implement the IEP. If the Massachusetts district determines that a new evaluation is necessary to determine continued eligibility or services, or a parent or another person concerned with the child's development requests an evaluation, the district shall immediately provide written notice to the parents.

Responses to the IEP

IEP Implementation

All accepted elements of a proposed IEP must be implemented without delay. The SEAC and school director are responsible for monitoring the implementation of accepted portions of IEPs at the schools for which they are responsible.

BRCPS recognizes that the Massachusetts special education regulations require BRCPS not to delay IEP implementation due to lack of classroom space or personnel. The



regulations also require BRCPS to provide as many of the services on an accepted IEP as possible and to inform the parent immediately in writing of any delayed services, reasons for delay, and actions that BRCPS is taking to address the lack of space or personnel. BRCPS also is required to offer alternative methods to meet the goals on the accepted IEP and, upon request of a parent, BRCPS shall implement alternative methods immediately until the lack of space or personnel issues are resolved.

The SEAC, in reviewing their caseloads in Frontline, will pay particular notice to any symbols indicating a compliance issue (e.g. overdue Annual Review).

The SEAC is responsible for informing all teachers (general education and special education) and service providers of their IEP responsibilities for a particular student. All teachers and service providers responsible for implementing the IEP must have access to the IEP document; this access may be supplemented by also providing the IEP Summary from Frontline.

Parent/Guardian Accepts IEP in Full:

The fully accepted IEP must be implemented without delay.

Parent/Guardian Partially Rejects IEP:

To reject an IEP in part, a parent/guardian should respond to the IEP proposal by checking off that they are rejecting portions of the IEP and then listing what those rejected portions are. Any part of the IEP that is not rejected is to be considered accepted and implemented without delay.

→Often meeting with a parent/guardian will resolve many, if not all, of the issues that led to the partial rejection, so the SEAC is encouraged to call the parent and request to meet, if the parent has not already done so. Ultimately, however, the parent/guardian has a right to reject an IEP in whole or in part, and, BRCPS has an obligation to propose an IEP that is reasonably calculated to ensure that the student receives a free, appropriate public education in the least restrictive environment.

Parent/Guardian Fully Rejects IEP:



To reject an IEP in full, a parent/guardian should respond to the IEP proposal by checking off that they are rejecting the IEP as developed.

→ The SEAC is encouraged to meet with the parent/guardian to discuss concerns with the IEP.

If this is an initial IEP, the SEAC may remind the parent/guardian that while they have a right to reject the IEP in full, no special education and/or related services can begin without consent. The SEAC also may discuss other options for responding to the IEP while concerns are being explored (e.g. accepting portions of IEP or accepting in full while documenting in writing concerns with IEP).

Notifying BSEA of Parent's Rejection of IEP, Placement or Finding of No Eligibility:

→ When a parent/guardian rejects the IEP in part or in full, rejects the proposed placement, or rejects a Finding of No Eligibility, BRCPS must inform the Bureau of Special Education Appeals

- (BSEA) **within five (5) days of the school's receipt of the rejection.**
Immediately after receiving the rejection from the parent/guardian, please send a copy of the signature page indicating the rejection to:

mgardner@brcps.school, soconnor@brcps.school. Indicate "rejected IEP" in the subject line.

The BSEA then will send the parent/guardian information about dispute resolution processes (e.g. mediation and due process hearings).

Parent Revocation of Consent to All Special Education Services:

→ IDEA gives parents the right to require the district to discontinue all special education services to the parent's child by revoking consent to the services. A parent may discontinue special education and related services provided to his or her child by notifying the school district in writing that the parent revokes consent to the continued provision of all special education and related services to the child. The school district shall respond promptly by sending notice to the parent of the district's intention to



discontinue all special education and related services to the student 10 school days from the date of the district's notice based on the parent's revocation of consent. The school district may not challenge the parent's decision through the dispute resolution processes provided under the Massachusetts special education regulations. Nothing in this regulation shall prevent a school district and a parent from meeting to discuss discontinuation of all special education and related services provided the parent's participation is voluntary.

Digital Signature and IEP Electronic Sharing

MA Department of Elementary and Secondary Education recently (July 2024) shared the following guidance regarding electronic signatures for evaluation consents and IEP's:

Electronic or digital signatures may be accepted to indicate parental consent for an initial evaluation, reevaluation, or the provision of special education and related services *if* the school district ensures appropriate safeguards are in place to protect the integrity of the process. An electronic or digital signature can be used if the parent has been fully informed and received written notice in the parent's primary language that is understandable to the general public of the activity for which the consent is requested. The parent must agree in writing to the activity and the signature must authenticate a particular person as the source of the consent. See USED IDEA Part B Procedural Safeguards Q&A 06/30/2020 (PDF).

If a district is utilizing an electronic process for IEP signatures, it must ensure parents and guardians are able to view and review the entirety of the IEP documents before signing. They should also be able to print or download a copy to maintain for their records and reference. If printing or downloading a copy is not an option in the electronic system,



the district must provide hard copies consistent with 603 CMR 28.05(7) - Parent Response to Proposed IEP and Placement.

As a result of this guidance; Boston Renaissance Charter Public School Electronic Signature Policy is as follows:

Evaluation Consent Forms:

1. When an evaluation consent form is being shared, the coordinator from the school will correspond with the parent/guardian to share that the document will be shared electronically via the docusign portal within PowerSchool (school information and special education program). Parent/guardian will be asked if they prefer to receive the document in hard copy.
2. If the parent responds that they are requesting a hard copy, the district will send out 2 hard copies of the evaluation consent form. If there is no response, it is assumed that the electronic copy is permissible by the parent/guardian.
3. Per traditional procedure, if a consent is not signed within 15 school days, the district will reach out via email to remind the parent/guardian of the consent and again ask if they prefer hard copies of the evaluation consent form. If no response, the district will reach out by day 25 and again on day 30 of sending.

IEP or Amendment Signatures:

1. Parents/guardians will receive either a meeting summary form or draft IEP via email directly following the IEP meeting.
2. At the IEP meeting, parents will be asked if they give permission for the proposed IEP to be sent electronically via the docusign portal within PowerSchool (school information and special education program). This question will be included in the same IEP notes document that they will receive.
3. If the parent/guardian objects to the electronic receipt of the IEP, the district will send two hard copies of the IEP via US Mail or student back-pack if permitted by the parent/guardian.



Dispute Resolution

There are a number of ways – informal and formal – that parents and schools may resolve a dispute about a child's educational programming including, but not limited to, the following:

BRCPS Communication Support

BRCPS Student Services Leadership is always available in resolving concerns or disputes efficiently, which should minimize the need for complaints to be filed with DESE or the BSEA. BRCPS Student Services Leadership can serve as a point of contact for any inquiry or need for navigation or conflict resolution. As such, community members have a supportive team to resolve minor issues, triage more substantial complaints, or provide navigation of BRCPS systems to resolve matters of concerns.

MA DESE Problem Resolution System

MA DESE's Problem Resolution System (PRS) is charged with investigating complaints that allege non-compliance with federal and state special education laws and as well as other statutes and regulations relating to the provision of publicly funded education. Anyone, including parents, students, educators, community members, and agency representatives, may contact the PRS office for assistance. PRS specialists respond directly to questions and concerns. PRS staff members also consult with others in DESE and in other agencies, if necessary, to answer questions. When an individual contacts PRS, the individual may ask questions about the individual's situation, request clarification of legal and regulatory requirements, take steps to begin the process of filing a complaint with DESE, or all of those. DESE encourages parents and school districts to continue to work together to resolve problems, before or after a complaint has been filed.

If a complaint is filed with PRS and determines that it falls within the scope of PRS's authority to investigate, PRS will conduct an investigation. A PRS specialist sends a letter to the district requesting that the district conduct a local investigation into the allegations and prepare a written local report to be submitted to PRS. After conducting its investigation and preparing the written local report, BRCPS will send a copy of the



report and any related documents to PRS with a copy to the complainant. If PRS issues a finding of non-compliance, corrective action will be required in the instances of identified non-compliance.

BRCPS has committed the school district to responding in a timely manner to complaints received from PRS, including, but not limited to, allegations of bullying. BRCPS works to resolve complaints and continue positive relationships with students and families.

Additional information about PRS is available at: doe.mass.edu/prs/, including a Problem Resolution Systems Office Procedures Guide. Also, PRS Specialist staff are available between 8:45 a.m. and 5:00 p.m. every business day. The contact information for PRS is 75 Pleasant Street, Malden, MA 02184-4906; Main Telephone: 781-338-3700; TTY: N.E.T. Relay: 1-800-439-2370; Fax: 781-338-3710; Email: compliance@doe.mass.edu.

Bureau of Special Education Appeals (BSEA)

The Bureau of Special Education Appeals is a Massachusetts administrative agency that derives its authority from both federal and Massachusetts statutes and regulations (the Individuals with Disabilities Education Act; "IDEA"; MGL ch.71B; Section 504 of the Rehabilitation Act of 1973) and that conducts mediations and hearings to resolve disputes concerning eligibility, evaluation, placement, Individualized Education Programs (IEPs), provision of special education, and procedural protections for students with disabilities. The BSEA also hears hearing requests filed by a parent of a student with a disability on any issue involving a denial of the free appropriate public education guaranteed by Section 504 of the Rehabilitation Act of 1973.

- Facilitated Team Meetings:

For a more difficult IEP or Section 504 Team meeting, either a parent or school may request that a BSEA facilitator attend the meeting, with the understanding that both parties must agree for the BSEA to facilitate the meeting. The facilitator is an impartial, trained mediator provided by the BSEA to support the process of the team meeting. The facilitator helps keep the team members focused on developing the IEP or 504 Plan while supporting a positive and collaborative tone for communication. The facilitator will work to create an environment in which



the IEP/504 team members can listen to one another's points of view and work together to develop an IEP/504 Plan.

- **Mediation:**

Mediation is an informal, voluntary and confidential dispute resolution process available at no cost through the BSEA. When school personnel and parents disagree about the educational needs of a student with disabilities, either party may request mediation. In mediation, an impartial mediator helps parents and school staff clarify the issues and underlying concerns, explore interests, discuss options and collaborate to reach mutually satisfactory agreements that address the needs of the student.

The mediator does not decide how to resolve the dispute. When the parties resolve all or some of the issues, they work together with the mediator to put their agreement(s) in writing.

- **Due Process Hearing**

A due process hearing is a formal administrative adjudicatory proceeding at which parties present evidence (testimony and documents) to a BSEA hearing officer regarding disputed issue(s). The hearing officer then renders a binding written decision based on the record presented. The decision of the BSEA hearing officer is a final agency decision and is not subject to reconsideration by the BSEA or the Department of Elementary and Secondary Education. The decision may be appealed to state or federal court within 90 days from the date of the decision.

- **Resolution Session/Meeting:**

When a parent files for a BSEA hearing, a meeting consisting of the parent/guardian and other appropriate IEP Team members (including a district representative with decision-making authority) is scheduled in an effort to resolve the dispute without the need for a formal hearing. The parties may decide to waive a resolution session or to participate in mediation in lieu of a resolution session. If the dispute is resolved at the resolution session, the parent and the district representative with decision-making authority sign a legally binding



agreement that is enforceable in state or federal court; this agreement may be voided by any party within three (3) business days of the signing.

- **Settlement Conference:** The BSEA Director (or, occasionally, a BSEA Hearing Officer) sits down with both parties, separately and together, to facilitate negotiation of a comprehensive settlement of the dispute in lieu of going to hearing. Settlement conferences are only available in cases where a Hearing Request has been filed and both parties are represented by attorneys.

Progress Reports and Progress Monitoring

Progress reports must be sent to parents at least as often as parents are informed of their nondisabled children's progress. Progress reports should be completed and provided to parents/guardians as close to the report card distribution as possible. Each building should establish a process for distributing progress reports. Students with disabilities should receive progress reports toward their IEP goals AND report cards, which must be provided on the same timeline and cadence as all other students.

By federal regulation, progress reports must answer the following two questions for each goal:

1. What is the student's progress toward the annual goal?
2. Is the progress sufficient to enable the student to achieve the annual goal by the end of the IEP period?

Team members should respond to the mandated questions by following these steps when writing their progress reports:

- Number each benchmark or objective for which progress is being written;
- Specify what the student has been working on;
- List what the student has achieved;



- Use measurable language where appropriate (e.g. John is greeting his peers upon arrival to school in 90% of measured opportunities);
- Indicate any stumbling blocks to progress and how the Team is responding (e.g. what refinements are, or will be, used to support the student's progress);
- Project whether the student will reach the annual goal if progress continues at its current pace.
- Developing well-written and meaningful progress reports that contemporaneously document progress starts with well-written goals including current performance, goal statement, and objectives or benchmarks. Teams should use the Current Performance as the starting point, noting what the student is currently able to do and what the stumbling blocks are; the Goals are the endpoints; and the objectives or benchmarks as the steps between the starting and end points.

Progress reports may prompt the Team to amend an IEP.

If a lack of expected progress continues past the first progress report and subsequent in-class refinements, the Team should make IEP adjustments and may want to consider rewriting a goal to set a different and more attainable standard. On the other hand, if a student is making more progress than projected, progress reports may make recommendations on next steps and, it may be appropriate to amend or add a benchmark or annual goal.

Grading Students on IEPs- Report Cards vs. Transcript

It would be permissible under Section 504 and Title II for a *report card* to indicate that a student is receiving special education or related services, as long as the report card informs parents about their child's progress or level of achievement in specific classes, course content, or curriculum. For instance, a report card for a student with a disability may refer to an IEP or a plan for providing services under Section 504 in order to report on the student's progress on the specific goals in the IEP or plan developed under Section 504.

However, the mere designation that a student has an IEP or is receiving a related service, without any meaningful explanation of the student's progress, such as a grade or other evaluative standard established by an LEA and/or SEA, would be inconsistent with *IDEA's* periodic reporting requirements, as well as with Section 504 and Title II. Under Section 504



and Title II, in general, the LEA must provide students with disabilities report cards that are as informative and effective as the report cards provided for students without disabilities. See 34 C.F.R. § 104.4(b)(1)(i)-(iv) and 28 C.F.R. § 35.130(b)(1)(i)-(iv). Without more meaningful information, a report card that indicates only special education status provides the student with a disability with a benefit or service that is different from and not as informative and effective as the benefit or service that is provided through the report card for students without disabilities.

A student's *transcript* generally is intended to inform postsecondary institutions or prospective employers of a student's academic credentials and achievements. Information that a student has a disability, or has received special education or related services due to having a disability, does not constitute information about the student's academic credentials and achievements. Under Section 504 and Title II, recipients and public entities may not provide different or separate aid, benefits, or services to individuals with disabilities, or to any class of individuals with disabilities, unless such action is necessary to provide those individuals with aid, benefits, or services that are as effective as those provided to others. See 34 C.F.R. § 104.4(b)(1)(i)-(iv) and 28 C.F.R. § 35.130(b)(1)(i)-(iv). Notations that are used exclusively to identify a student as having a disability or identify education programs for students with disabilities unnecessarily provide these students with different educational benefits or services. Identifying programs as being only for students with disabilities also would be viewed as disclosure of disability status of enrollees and constitutes different treatment on the basis of disability. Therefore, it would be a violation of Section 504 and Title II for a student's transcript to indicate that a student has received special education or a related service or that the student has a disability. ([US Department of Education/Office for Civil Rights](#))

Monitoring Students In Out of District Placements

BRCPS is required to monitor the provision of services to, and programs of, individual students placed in public and private out-of-district school placements to ensure that the individual student's IEP is being appropriately implemented and that service delivery in the out-of-district placement is aimed at assisting the student to meet the goals identified on the student's IEP. BRCPS Student Services Leadership have primary responsibility for monitoring students in out-of-district placements. BRCPS enters into a written contract with each out-of-district placement, with each contract requiring that



the out-of-district placement comply with all elements of the student's IEP; allow BRCPS to monitor and evaluate the education of the student; comply with applicable federal and Massachusetts legal requirements (including DESE policy statements and directives); and agree to afford the student all of the substantive and procedural rights held by publicly-funded students including, but not limited to, those specified in 603 CMR 28.00 *et seq.*

BRCPS monitors IEP compliance by requiring the out-of-district placement to provide BPS with detailed written IEP progress reports and to arrange for out-of-district personnel to participate in any Team meetings convened to discuss a student's progress and educational programming. BRCPS requires each out-of-district placement to agree to allow BRCPS and/or DESE to conduct announced and unannounced site visits. In addition, BRCPS requires the out-of-district placement to make the student's records available, upon request, to BRCPS and DESE personnel and to allow BRCPS and/or DESE to review all documents relating to the provision of special education services to Massachusetts students at public expense. These documents include, but are not limited to, general documents available to the public and documents specifically related to the student, and any other documents necessary to verify and evaluate education services provided at public expense.

Documentation of monitoring plans and all actual monitoring must be placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits shall be documented and placed in the students' files for review. The duty to monitor out-of-district placements cannot be delegated to parents or their agents, to DESE, or to the out-of-district placement.

Disciplining Students on IEPs

The IDEA and its implementing regulations provide students on IEPs with certain procedural rights and protections in the context of student discipline which are summarized below. These rights are in addition to the due process rights applicable to all students which are outlined in 603 CMR 53.00.



Short term removals: Students on IEPs who violate school rules may be disciplined in the same way as students without disabilities for up to 10 days in a school year.

Subsequent removals: When a student on an IEP faces the possibility of being removed from school for **more than** 10 days in the school year, extra protections take effect if the removal constitutes a “change in placement.” **A “change in placement” occurs when:**

- The student is removed for **more than 10 consecutive days** in a school year; **or** • The student is removed for a series of shorter removals that constitute a **pattern of behavior** and amount to **more than 10 cumulative days**.

When determining if there is a pattern of behavior, the school considers similarity of behavior, proximity to previous incidents, and length of removal.

If BRCPS determines there is no “change in placement,” then the student may be disciplined just as other students may be for the violation of school rules. However, BRCPS must provide services to the extent necessary for the student to make progress in the general curriculum as well as progress towards the student's IEP goals. Also, if appropriate, the school must conduct a Functional Behavioral Assessment (FBA) and develop a positive Behavior Intervention Plan (BIP).

If BRCPS determines there is a “change in placement,” then within 10 school days of the discipline decision which creates a change in placement, the IEP Team must conduct a “**manifestation determination** review (MDR) meeting .”

Manifestation Determination Review Meeting

- The IEP Team, which includes the parents/guardians, must review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine if the conduct that is subject to disciplinary action was a manifestation of the student's disability.
- The IEP Team must answer 2 questions to determine if the conduct that is subject to disciplinary action was a manifestation of the student's disability:



- Was the student's conduct caused by, or did it have a direct and substantial relationship to, the student's disability?
- Was the student's conduct a direct result of the school's failure to implement the student's IEP?

If the answer to both questions is "no," then the conduct was **not a manifestation** of the student's disability and the student may be disciplined in the same way as students without disabilities except that the IEP Team must ensure that BRCPS continues to provide an educational program that is appropriate to meet the student's needs, albeit in a different setting. The IEP Team must determine which educational services are necessary to enable the student to continue to participate in the general education curriculum (although in another setting) and to progress towards meeting the IEP goals as well as the interim alternative educational setting (IAES) where the student will receive such services while disciplined.

If the answer to either question is "yes," then the conduct **was a manifestation** of the student's disability, and the student must return to the pre-discipline placement, **except if** the conduct in question was one of three **"special circumstances."**

The "special circumstances" are if the student, while at school, on school premises, or at a school function

- (1) possesses a weapon (if a knife, blade must be at least 2 1/2 inches long to meet definition),
- (2) possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, or
- (3) inflicts serious bodily injury on another person.

If any of these "special circumstances" apply, regardless of the Team's determination about manifestation, school personnel may remove a student to an IAES for not more than 45 school days. The IEP Team is responsible for determining which educational services are necessary to enable the student to continue to participate in the general education curriculum (although in another setting) and to progress towards meeting the IEP goals as well as the interim alternative educational setting (IAES) where the student will receive such services while disciplined. **If the Team determines that the conduct was a manifestation of the student's disability, the IEP Team must propose**



conducting a Functional Behavioral Assessment (FBA) and implement a positive Behavior Intervention Plan (BIP) or, if a BIP already exists, then the IEP Team reviews and modifies the BIP, as necessary, to address the conduct that was in question.

If parents do not agree with the manifestation determination or the alternative placement, they can file for an expedited hearing at the BSEA. The student's placement while the BSEA hearing is pending is the student's alternate placement as determined by the IEP Team.

Protections for Students Not Yet Eligible for An IEP

The IDEA protections summarized above also apply to a child who has not yet been found eligible for an IEP if the school district is "deemed to have knowledge" that the child was eligible for such services **before the misconduct in question occurred**. A school district is "deemed to have knowledge" if: (1) the child's parent had expressed concern in writing to school district administrative personnel/child's teacher that the child needs special education and related services, (2) the child's parent had requested an evaluation of the child to determine eligibility for special education services, or (3) the child's teacher or other school district personnel had expressed specific concerns about a pattern of behavior of the child to the director of special education or supervisory personnel. A school district is not "deemed to have knowledge" if the parent refused to consent to an evaluation by the school district or refused special education services or if the child had been evaluated and determined to be ineligible for an IEP.

Request for Evaluation While Student Subject to Discipline

If there is a request for an evaluation while the student is subject to discipline, then the school must expedite the evaluation and the student remains in the placement determined by school officials during the evaluation.



Home and Hospital Instruction

Students Entitled to Home/Hospital Instruction

- **Public School Students:** A public school student who, due to documented medical reasons, has been, or is expected to be, confined to a home or hospital for a minimum of **fourteen (14) school days during any school year** is eligible to receive educational services in the home or hospital. Although the regulation on home/hospital instruction is included in the Massachusetts Special Education Regulations, home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. "Public School Students" also includes students being educated with public funds in a collaborative or an approved private day or residential school.
- **Certain Parentally-Placed Private School Students:** A student enrolled in a private school at private expense is entitled to publicly-funded home/hospital instruction as a special education service if the student is eligible for an IEP. If the parent of a private school student requests an evaluation to determine the student's eligibility for an IEP and presents a physician's statement, then the school district must immediately review the physician's statement to determine if there is sufficient information to consider that the student has a "health impairment" under the Massachusetts special education regulations. 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 home/hospital instruction. MA DESE Administrative Advisory SPED 2003-1 has more information about this eventuality.

Accessing Home/Hospital Instruction



Once the student's personal physician (e.g. 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 DESE 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/hospital educational services must begin without undue delay after the school district receives written notice from the student's physician that such services are necessary. 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 school district should 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.

Delivery of Home/Hospital Services

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 typically is one-to-one (e.g. in home) or small group instruction (e.g. in hospital) that is provided on an individualized schedule, for less than a full school day or a full school week. The tutoring services will be provided with sufficient frequency to allow the student to continue his or her educational program, as long as the services do not interfere with the medical needs of the student. School districts may not preset the number of instructional hours per week since the decision must be individualized. Service delivery, including the time of day the services are to be delivered, should take into consideration 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.

While teacher certification requirements apply to the teachers who are providing home/hospital 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 on IEPs, 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.

Students Likely to be Confined for More Than 60 School Days



If, in the judgment of the student's physician or nurse practitioner, 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. DESE 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 students on IEPs, including private school students.

IDEA Equitable Services Procedures

CHILD FIND

Under state and federal law, BRCPS must find and evaluate students aged 3-21 who may need special education or related services. The state law pertains to students residing in the City of Boston, regardless of where the students attend school. Child find obligations also apply to students who attend private schools or homeschool located within the City of Boston. For students who reside outside of the City of Boston and attend home school or private school within the City of Boston, the private school located within the City of Boston must satisfy the definition of an elementary or secondary school. Stand alone pre-schools and private child care centers that do not provide elementary education are not included in equitable service child find nor service obligations.

Abiding by the evaluation requirements, as defined in federal and state special education laws and regulations, BRCPS will work with the families of students being referred for evaluation through Child Find.

Under the [federal and state student records laws and regulations](#), BRCPS generally requires written parental consent to share student information and records with a private school/provider and/or another public school district. When the district receives a special education referral, it will seek to obtain parental consent to share information and records with the referring school or provider.



Additionally, because there is an overlap of responsibilities under federal and state law, a parent may choose whether to seek an evaluation and services from the district of residence or from the district in which their child is enrolled, if different. When a request for an evaluation is received by BRCPS, where another district is implicated, BRCPS will seek to obtain parental consent to consult with the other district that may have evaluated or provided services to the student.

If a student is found eligible through the child find process; whether and to what extent the student is eligible for special education and related services depends on a variety of factors. If a student who resides within the City of Boston is found eligible, BRCPS shall develop and implement an IEP for the student. If a student who does not reside in the City of Boston but attends BRCPS is found eligible; BRCPS shall develop and implement an IEP for the student.

Chart for Evaluation and Eligibility for Services

	BRCPS Responsibility	PARENT/GUARDIAN Responsibility
Initial Evaluation	Conducts evaluations and determines eligibility for students of the district. BRCPS generates evaluation consent form for parent/guardian to accept or decline.	Request evaluation in writing to BRCPS office of Special Education. Accept or decline evaluation by indicating on school consent form sent by office of special education.
Special Education and Related Services	Student has individual entitlement to special education services (FAPE) and dispute resolution procedures.→ Writes an IEP.	Accept or decline IEP services; accept or decline placement. Indicate whether parent/guardian would like an additional meeting to discuss rejected portions.



Re-Evaluation	Conducts re-evaluations and determines eligibility for students of the district. BRCPS generates re-evaluation consent form for parent/guardian to accept or decline.	Accept or decline re-evaluation by indicating on school consent form sent by office of special education.
Release of Information	Request parental consent to communicate with outside providers or supports.	Consent or decline to release (s) of information

For more information on the BRCPS Child Find screening activities, please see the information in the [Child Find Section](#).

Physical Restraints, Seclusion & Time-out

BRCPS complies with the MA DESE's regulations regarding restraint (603 CMR 46.00 et seq.) that apply at schools and at school-sponsored events and activities whether or not on school property. BRCPS has developed a policy that seeks to ensure that every BRCPS student is free from the unlawful use of physical restraint. "Physical restraint" means direct physical contact that prevents or significantly restricts a student's freedom of movement and 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. 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: (1) 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 (2) to prevent or minimize any harm to the student as a result of the use of physical restraint.



BRCPS prohibits the use of physical restraint as a standard response to any behavior, and as a result, no written individual behavior intervention plan (BIP) or individualized education program (IEP) may include use of physical restraint as standard response to any behavior. BRCPS also prohibits the use of seclusion which is 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 the MA DESE regulations. A time-out means a behavioral support strategy 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. In the limited instances where the use of time-out rooms is determined to be a necessary behavioral support strategy, use of a time-out room must be consistent with the DESE's regulations at [603 CMR 46.00](#) (e.g. student must be continuously observed by staff member; staff must be with the student, or immediately available to the student, at all times; time-out shall cease as soon as the student has calmed).

MA DESE 9/10/2021 Memorandum on Reducing or Eliminating Use of Time-Out Rooms

BRCPS encourages its administrators and educators to review MA DESE's 9/10/2021 memorandum advising schools to make concerted efforts to reduce or eliminate the use of time-out rooms. The memorandum emphasizes that all students should have an equal opportunity to learn alongside their peers to gain valuable academic and social emotional skills and increase their sense of connection to peers and their school community and that over-use or inappropriate use of time-out rooms may lead to academic loss and cause trauma.

Proactively Implement Strategies, Interventions, & Supports That Promote Social Emotional Well-Being of Students in Effort to Reduce or Eliminate Use of Time-Out Rooms

Schools are urged to proactively implement school-wide, evidence-based strategies, interventions and supports that promote the social-emotional well-being of all students, which may help to eliminate use of time-out rooms or reduce reliance on time-out rooms as a behavior support strategy. For a student without a disability, repeated behavioral incidents may indicate the need for additional or new approaches to prevent or respond to behavioral escalation in a supportive manner; in some cases, it may indicate there is a disability and therefore the need for an evaluation to determine eligibility for special education and/or related services. For a student on an IEP, the IEP



Team should reconvene if the student has repeated behavioral incidents since the IEP Team is required to “consider the use of positive behavioral interventions and supports, and other strategies” when a student’s behavior interferes with the student’s learning or the learning of others. The IEP Team should discuss the situation and whether new or different instruction, services, and/or behavioral supports and interventions are needed and/or whether a functional behavioral assessment (FBA) would assist the IEP Team to understand better the function of the student’s problematic behavior and provide important information for developing or updating a behavioral intervention plan (BIP) designed to increase desired behaviors. For both the student with, and without, a disability, input from the student’s caregiver is critical to understanding the student’s experiences and the strategies that may help the student spend more time learning with peers.

School administrators are encouraged to work with the school community (e.g. school psychologists, behavioral specialists, educators, SEPAC, and IEP Teams) to consider and begin implementing evidence-based strategies that may reduce use of time-out rooms. Other suggestions include having school administrators create a list of strategies that may help students to self-regulate in-class (e.g. regular sensory breaks, movement breaks, using exercise balls or fidget toys, encouraging drawing or listening to calming music with headphones, using breathing exercises, or journaling), which could facilitate a discussion about behavioral strategies that might be helpful for an individual student. The DESE memorandum also discusses the benefits of “co-regulation,” which involves school personnel using self-calming strategies and responding with compassion and empathy to a stressful interaction, which may make a dysregulated student less likely to escalate, in part because school personnel are modeling regulation skills.

Important Safeguards in Using Time-Out Rooms

For students on IEPs, DESE strongly recommends that an IEP Team carefully consider the advantages and disadvantages of using a time-out room as a behavioral support strategy **before** its use and any alternatives that may be effective. Factors to consider include age of the student, the individual needs of the student, the social and emotional impact on the student of being temporarily separated from peers, any history of trauma that may make use of a time-out room inadvisable or counter-productive for the student, and any alternative behavioral support strategies that have been or may be effective in helping the student calm.



For students without IEPs, DESE states that such discussions also should occur between school personnel and the student's parents or guardians **before** the time-out room is used as a behavioral support strategy.

- A functional behavioral assessment (FBA) may assist with selecting the appropriate behavior interventions for students with and without disabilities. The student's parents or guardians may want to discuss specific alternatives to use of a time-out room, see the time-out room, and ask questions about how it is used.

Appropriate Conditions for Time-Out Rooms. MA DESE regulations require time-out rooms be "clean, safe, sanitary, and appropriate for calming" students. Factors to consider in selecting a time-out space include (1) the ability of school director or other administrators to adequately supervise and support staff who use the time-out rooms with students, (2) size of space being sufficiently large enough to allow student and staff to move comfortably, (3) appropriate lighting and ventilation, (4) ability to provide comfortable, safe place to sit (e.g. beanbag chair), and (5) ability to provide students with access to sensory tools or activities, as appropriate. Schools should designate who and how often someone will confirm that time-out room and items in it are in good condition and clean.

DESE expects a school staff member to be physically present with the student in the time-out room to help the student calm. Staff should continue to engage the student, as appropriate, to reassure the student that there is an adult with them who cares about them and their well-being. When selecting staff to accompany the student, consider which staff are most familiar with the student and the student's needs and would be most effective at helping the student calm and return to the classroom. Such staff should be familiar with the school's policies and procedures relating to time-out and should have training on their use. If a student in the time-out room asks to use the bathroom or has some other basic need, those requests should be granted.

Requirements when unsafe for staff to be present in time-out room. In the extremely rare instances when it might not be safe for the staff member to be present with the student in the time-out room, school staff must be immediately available to the student and must continuously observe the student to make sure the student is safe. Staff should be helping the student calm and, as needed, obtain additional support for the student



(e.g. school's crisis intervention team, mobile crisis team, or student's parents or guardians). A school counselor or another behavioral support professional also should be immediately available to the student and provide support to the student as needed to help the student calm. A school staff member should be able to see the student in all parts of the time-out room; being able to see the staff member may help the student know that caring adults are there to help and support them.

Times to Consider Other Behavioral Support Strategies. If it appears that the use of the time-out room exacerbates the student's behavior or has not helped the student to calm, then other behavioral support strategies should be attempted.

Time-Out Lasting Longer Than 30 Minutes. For any time-out that may last longer than 30 minutes, school staff must seek approval from the school director for the continued use of time-out. The school director must carefully consider the individual circumstances, specifically whether the student continues to be agitated, to determine whether time-out beyond 30 minutes is appropriate. The school director may want to consult with the student's parents or guardians, the student's support team, the school psychologist, or other relevant school personnel when deciding whether time-out should be authorized for longer than 30 minutes.

Data About Use of Time-Out Rooms. School should collect, review, and analyze data about the use of time-out rooms, with data being kept in the same manner that the school maintains restraint data. Each time that a time-out room is used, the school should note the following information:

- Date
- Student's Name
- Time-Out Room Use Started (Time)
- Reasons for Use of Time-Out Room (e.g. Behavior Prior to Use)
- Person Initiating Use of Time-Out Room
- Alternative Behavioral Management Strategies Attempted Prior to Use of Time-out Room
- Name of Staff Calming and Observing the Student During Time-Out Room Use
- List of Strategies Used to Calm the Student During Time-Out Room Use
- Observations of the Student Response to Use of Time-Out Room



- Initials of School Director Authorizing Time-Out Over 30 Minutes and Reasons for Extension of Time
- Time-Out Room Use Ended (Time)
- Date and Time of Notice(s) to Parents or Guardians
 - An electronic version containing the above fields that schools can download and use is available on DESE's website at:
<https://www.doe.mass.edu/sped/docs.html>.

Parent Notification. DESE strongly encourages prompt notification of the student's parents or guardians about the use of the time-out room to facilitate transparency, family engagement, and collaborative problem solving. Ideally, verbal notification should be provided to the parents or guardians before the student returns home from school or at the latest within 24 hours of the use of the time-out room, or as agreed upon with the parents or guardians. Written notification should be provided to the parents or guardians ideally within three school-working days, or as agreed upon with the parents or guardians. A sample parental notification form is attached to the memorandum; the notification must be translated for parents or guardians who have limited English proficiency.

Protocols for Debriefing with Students. Schools also should have protocols for debriefing with the student after the use of time-out room as a behavior support strategy, including how, when and with whom the student debriefs. The opportunity to de-brief allows the student to provide insight into the underlying causes of the behaviors, helps the student identify their feelings, discuss what de-escalation strategies may work better for them in the future, and together identify strategies that might have helped avoid the situation. De-briefing also helps school staff identify what could have been done differently, develop strategies for addressing similar incidents in the future, and discuss ways to stay regulated in stressful situations.

Weekly Data Analysis. DESE also strongly recommends school directors review and analyze the time-out room data collected on a weekly basis, as they currently do for restraint data. Some factors that principals should consider when conducting the weekly review and analysis of the time-out room data include:



- whether the time-out room is being repeatedly used for the same student(s); o whether the time-out room is being used for periods longer than 30 minutes; o whether there are multiple uses of the time-out room for students from the same classroom;
- whether the same teachers or staff are repeatedly initiating the use of the time-out room;
- whether the time-out room is being used more frequently for students with particular demographics, such as race, gender, or ethnicity.

Depending on the results of the weekly review and analysis, the school district may convene one or more teams to discuss the student's individual needs, including how the use of time-out has impacted the student's behavior and social emotional wellbeing, as well as other interventions that may be more effective for the student. Similarly, the school director may consider whether school staff need retraining or additional training on evidence-based alternatives to the use of time-out rooms as a behavior support strategy.

Monthly Data Analysis. DESE also strongly recommends that school directors conduct a monthly analysis of data regarding school-wide use of time-out rooms to identify and address any patterns, such as high use with specific groups of students. To promote transparency and problem solving, DESE also recommends that superintendents request that school directors share their analysis with them and other key school personnel.



In School Observations by Parents and Designees

In accordance with Massachusetts special education law, BRCPS permits parents and their designees (defined by law as parent designated independent evaluators and educational consultants) to conduct in-school observations of their child's current or proposed special education program.

When a parent or designee wishes to conduct such an observation, please follow these procedures:

1. If a parent wants to observe their child's **current** program, the parent shall contact the Special Education Team Chair and/or Student Services Director to request an observation. The school will provide timely access to the student's current educational program.
2. Any time a parent requests to conduct an observation of either their child's current program, the Parent should contact the Special Education Team Chair, Student Services Director and School Director.
3. If the parent wishes to observe a **proposed** program (one the student is not currently attending)
 - a. The parent shall contact the Special Education Team Chair and or the Student Services Director to request an observation
 - b. The Special Education Team Chair shall contact the Special Education Team Chair at the proposed program to arrange the visit.
 - c. and if the Special Education Team Chair needs support to accompany the observation, they will contact the Director or Assistant Director of Student Services.
4. If the parent designates a **third-party observer** or the request comes from someone other than the parent:
 - a. the school will need to confirm with the parent the identity of the observer and the affiliation. The observer must provide a release of information signed by the parent. Observations must be scheduled with the Special Education Team Chair and school leader at mutually convenient times. If



the designee wishes to review the student's records, the school must obtain written consent from the parent before allowing the designee to access the student's record in accordance with the Massachusetts student record regulations.

- b. Upon notification of the request for the observation, the school will provide timely access to the student's current or proposed educational program.
 - c. The school will contact the parent and/or designee to schedule a mutually convenient time for the observation.
 - d. A Special Education administrator **must** be present during the observation by a third-party observer.
5. Please be advised that there may be certain times of the year that the district generally will not schedule observations due to the disruption the observation would cause during these particular time periods (e.g. before and after school vacations, during MCAS administration, or the first or last weeks of school). If the observation is requested during one of these time periods the school may work with the observer to find another mutually agreeable time for the observation.
6. The school will also discuss with the parent and/or designee in advance of the observation a reasonable time allotment for the observation. The observer will be permitted to observe both academic and non-academic activities if requested. Observation times must be reasonable and will be determined on an individual basis depending on the circumstances of the particular student and/or program to be observed.
7. Boston Renaissance Charter Public School is responsible to ensure the safety of its students at all times. If, in the opinion of the school, the observation threatens to compromise the safety of the students in the observed program, the integrity of the program during the observation, or if there is the threat of disclosure by the observer of confidential or personally identifiable information he or she may obtain while observing the program, the school may impose reasonable limitations and restrictions on the observation. The school will discuss these concerns with the observer prior to the observation and the school will make reasonable efforts to work with the observer around these issues to ensure a safe and productive observation. Any limitation and restrictions imposed pursuant to



this paragraph will be done on a case by case basis- if a restriction is necessary, please contact the BRCPS Director of Student Services for consultation.

8. Boston Renaissance Charter Public School may exercise its discretion at any time to reschedule or terminate an observation in the event of a building emergency or a disruption that impacts the physical or emotional well-being of the children in the school or the program being observed.

Student Records and Confidentiality

Federal and state laws give parents and students rights to privacy, inspection, amendment, and destruction of student records. Each staff member working with students is expected to maintain a high level of confidentiality regarding information received from reviewing student records, attending Team meetings, or discussing a student's strengths and weaknesses with teaching staff. Parents entrust the Boston Renaissance Charter Public School staff with personal information about their child, their family history, and their fears and hopes for their child's future. We are expected to respect this confidential information and guard it carefully. Confidentiality extends to all staff, professional and non-professional, and must be maintained in all places both in and out of school.

General Information about the Student Record

Under Massachusetts law, the "student record" includes the transcript and the temporary record which is "all information ... that is organized on the basis of the student's name or in a way that such student may be individually identified and that it is kept by the public schools." Under Massachusetts law, the following individuals are entitled to access the student record:

- Student upon reaching age 14 or entering grade 9;
- Parents who have physical custody of their child;
- Eligible non-custodial parents;
- Authorized school personnel i.e. **personnel with a legitimate educational interest** in accessing the record (those with a "need to know"), including professional,



administrative and clerical staff and outside contractors providing services to the student.

Log of Access

A log of access will be maintained at the front of each student record file, stapled to the inside cover, to document all who have accessed the student record. However, the log requirement does not apply to authorized school personnel who inspect the record, administrative office and clerical staff who add information to, or obtain access to, the student record, or school nurses who inspect the student health record.

Student's Right of Access

Students who are fourteen (14) years old or in the ninth grade have all the rights that parents have under the Massachusetts student record regulations (603 CMR 23.00 et seq.). If a student is age fourteen (14) through seventeen (17) years old, or has entered ninth grade, both the student and his/her parents/guardians, acting alone or together, may exercise these rights. Once the student turns eighteen (18), the rights accorded to parents/guardians under student record regulations, become those of the student. However, parents/guardians may continue to exercise those rights unless the student makes a written request to prevent them from doing so. Should the adult student make such a request, the student may limit all of the parents' rights regarding the student record except that the parents continue to have a right to inspect, but not copy, the records.

Parent's Right of Access

A parent (or eligible student) shall have access to the student record. Access shall be provided as soon as practicable and within 10 days after the request, **except in the case of non-custodial parents**. Upon request for access, the entire student record regardless of the physical location of its parts shall be made available. In addition, copies of any information contained in the student record shall be furnished to the eligible student or the parent upon request. The parent (or eligible student) has the right to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted. The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party



shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

Non-Custodial Parent's Right of Access

A non-custodial parent is a parent who, by court order, does not have physical custody of their child. As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions. A non-custodial parent is eligible to obtain access to the student record unless:

1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted.

In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal. Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth above. The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school. Upon receipt of a court order that prohibits the distribution of information



pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

Access by Third Parties

As a general rule, third parties do not have access to the student record without the prior informed, written consent of the eligible parent/student. However, there are exceptions. For example:

- In response to requests from the Department of Children and Families (DCF), a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, §§ 51B, 57, 69 and 69A respectively;
- Upon a lawfully issued subpoena, provided notice of the subpoena was given to the eligible parent before complying;
- Disclosure to appropriate parties regarding a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and DCF under the provisions of M.G.L. c. 71, § 37L and M.G.L. c. 119, § 51A.

Court orders or subpoenas should be sent to the Office of Legal Advisor for handling.

A school district may not release information from the student record to participating agencies without parental consent. This includes, but is not limited to, the Department of Developmental Services (DDS), the Department of Mental Health (DMH), the Massachusetts Rehabilitation Commission (MRC), advocates, and physicians.

Safeguards

When in doubt, do not release information. Consult with your School Director, Student Services Director or Assistant Director.

Recording of IEP Team Meetings

The recording of IEP Team meetings is prohibited unless it is necessary in order for a parent to understand the IEP process and/or their child's IEP, or otherwise necessary to



implement other parental rights under the IDEA, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.

- A. If a parent believes that audio recording an IEP Team meeting is necessary, they should notify the Director of Student Services in writing, preferably at least two (2) school days before the IEP Team meeting, of their desire to audio record the meeting and the reason the recording is required. The Director of Student Services will notify the parent at least one (1) school day before the meeting if they intend to deny the parent's request to record the meeting.
- B. If the District representative denies the request, they will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the audio recording of IEP Team meetings will typically involve situations when a parent or other IEP Team member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the IEP process, and creating an audio recording of the meeting will remove the barriers to access to the IEP process. The District representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting, they must use their own recording device and the District will similarly record the meeting. Video recording an IEP Team meeting is prohibited, unless only video recording the IEP meeting will effectively remove a parent(s) barrier to access the IEP process caused by disability. A healthcare provider's verification of this necessity will be required. If the District records an IEP Team meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

Legal Ref: 34C.F.R. Part 104: 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended; 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

Special Education Team Chair Process

Starting the Year



1. Establish Caseload in Frontline for students on IEPs
2. Ensure teachers and other service providers responsible for implementing an IEP have access to the IEP; access to the IEP may be supplemented by distributing the "IEP at A Glance" document to them as well
3. Establish clear methods of communication with school staff about the evaluation and meeting process (e.g. evaluations are due 2 days before meetings and more time is needed if evaluations must be translated).
4. Scheduling of IEP meetings
 - a. Set up your calendar based on your caseload in SEPTEMBER for the ENTIRE school year. At this time, look at students who are due for Three-Year Re-evaluations and plan accordingly.
 - b. If you create a Google Doc or Calendar- share it with appropriate staff. Make sure to maintain and update this. The official scheduling of meetings is maintained in Frontline.
5. Parent communication
 - a. A Welcome letter from the Special Education Team should be sent out. Send an Age of Majority notification to students to whom this applies along with the Welcome Letter (2 years before the student turns 18).
 - b. Parent Procedural Safeguards are sent to all families of students on IEPs
6. Scheduling of students' services. It is important that all schedules are checked to make sure that student needs are met in accordance with each student's IEP, state mandates, and federal guidelines
7. Set up student folders
8. Distribute Student IEP Summaries to special education staff, related service staff, specialty teachers, and school administrators
9. Conduct IEP orientation for new staff

End of Year:

1. If a consent to evaluate is received with fewer than 45 school days prior to the end of the school year, the timeline starts at receipt of consent, stops on the last day of school, and re-starts on the first school day of the following year. Make sure to enter the signature.
2. Prepare folders for transfer at the end of year.



3. Complete all IEPs for parent signature.
4. Enter all signatures received up to the last day of school.
5. Prepare an end of year checklist for Student Services Director and Assistant Director.
6. Ensure all folders remaining at the school are complete and locked for the summer and that the Student Services Director and Assistant Director are able to access the files, if necessary.