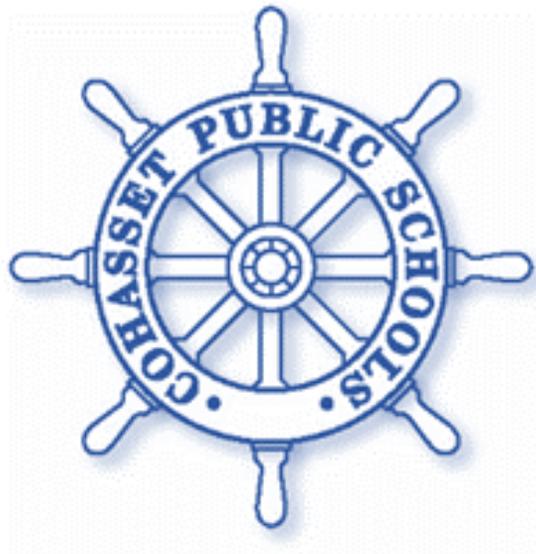


Cohasset Public Schools

Office of Student Services Special Education Process Guide



2025-2026

Introduction and Purpose

The Cohasset Public Schools is committed to providing students with disabilities access to the curriculum and to make effective progress in the most inclusive and least restrictive environment possible. With in-district resources and necessary consultative services, it is our goal to provide individualized instruction and support necessary to help students with disabilities acquire skills and strategies needed to successful learners.

Special education support and services should not be viewed as a separate model, but instead as a part of the continuum of supports, services and interventions created to ensure that the general education environment is responsive to the diverse learning needs of all students. Working together, general education staff and special education staff can ensure equal opportunity, full participation, and increased outcomes for all learners, including students with disabilities.

The online process guide has been developed as a resource for staff, families, and other stakeholders of Cohasset Public Schools, including but not limited to administrators, Team Chairs, guidance counselors, and special education staff. It references state and federal regulations and the processes of the Cohasset Public Schools. The following policies and procedures are aligned with:

- The Massachusetts Department of Education, Massachusetts General Laws ch.71B, et seq., Special Education Regulations 603 CMR 28.00 et. seq. And IDEA 2004.
- The Individuals with Disabilities Education Improvement Act of 2004 aligns IDEA closely to the Every Student Succeeds Act (ESSA), helping to ensure equity, accountability, and excellence in education for children with disabilities.

Student Services Administrative Team		
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Parent/Guardian Involvement in the Special Education Process

The Cohasset Public Schools partners with families to support students. Communication with families is essential to a positive team relationship. Liaisons and related service providers should reach out to parents at the start of the school year via phone, email or letter home to identify themselves as the student's building contact and liaison.

Opportunity for Parent/Guardian Participation

When schools and families work together, student learning and outcomes improve. Parents are vital to the IEP process. The law is very specific about what school systems must do to ensure that parents and guardians have the opportunity to participate, if they so choose. Parents and/or guardians can provide important information on the student's strengths and weaknesses at home, information on the student's history and development, and information on family and outside factors that may affect the child's learning experience. Parents/Guardians needs should be considered when arranging the Team meeting; Every effort should be made to accommodate the parent/guardian's schedule if possible. To increase access to IEP Team meetings, a parent/guardian can, at any time, choose to attend Team meetings in person, by telephone, or virtually using the district's chosen virtual platform. A translator may be used to contact parents and guardians whose primary language is not English.

Parental rights of participation can be summarized as follows:

- Parents/Guardians have the right to participate in meetings related to the evaluation, identification, and educational placement of their child.
- Parents/Guardians have the right to participate in meetings related to the provision of a free appropriate public education (FAPE) to their child.
- Parents/Guardians are entitled to be members of any group that decides whether their child is a "child with a disability" and meets eligibility criteria for special education and related services.
- Parents/Guardians are entitled to be members of the team that develops, reviews, and revises the individualized education program (IEP) for their child.
- Parents/Guardians are entitled to be members of any group that makes placement decisions for their child. If neither parent can attend the meeting where placement is decided, the school must use other methods to ensure their participation, including individual or conference calls, or video conferencing.
- Parent/Guardian rights are outlined in the [Parent's Notice of Procedural Safeguards which can be found here](#). This brochure is sent to families of students with IEPs in September of each year and included with the mailings for each initial evaluation referral. Additionally, the brochure is accessible on our website: [Office of Student Services Website](#)

The Bureau of Special Education Appeals (BSEA)

A parent/guardian has a right to disagree with any Team eligibility determination to the Bureau of Special Education Appeals, including a finding of no eligibility. Parents may contact the BSEA directly. Information regarding how to contact BSEA is included in the Notice of Procedural Safeguards. At each eligibility meeting, the Team Chairperson reviews the eligibility flowchart which includes a series of questions to guide the decision making of the Team. As part of this discussion, parents/guardians should be asked if they are satisfied with the evaluations completed by the school district. If parents disagree with the district's evaluation, they may have a right to an Independent Educational Evaluation

(IEE). If the parent requests an IEE at public expense, the district must either pay for the IEE (public rate setting only) or, within five school days, request a determination from the BSEA that the district's evaluation was comprehensive and appropriate.

[Bureau of Special Education Appeals](#)

Special Education Parent Advisory Council (SEPAC)

The Cohasset Special Education Parent Advisory Council (SEPAC) is an all volunteer organization of parents of children with disabilities at all levels. The group meets monthly to learn about special education programs, issues, policies, regulations and resources and to connect families in the district. The formation of SEPAC is mandated by the Massachusetts Department of Education. Special education administration collaborates with SEPAC and attends meetings. All families are encouraged to attend SEPAC monthly meetings and can find more information here: [Cohasset SEPAC Website](#)

Child Find

Under federal and state special education regulations, Cohasset Public Schools has a duty to locate, identify, refer, evaluate and, if eligible, provide a free, appropriate public education to students with disabilities who reside in the town of Cohasset. Child Find regulations apply to all students with disabilities, ages birth-21, who reside in the town of Cohasset, including students who are homeschooled and those attending private schools. Under the Child Find mandate, school employees who know of or have reason to suspect a child has a disability, these school employees have an affirmative duty to act on the child's behalf. When school staff suspect a student has a disability, they should contact the building's Special Education Point of Contact to discuss their concerns. If a parent or guardian shares information with any school personnel indicating the presence of a disability that could be impacting the student's access to instruction, the staff member is required to contact the Team Chairperson and building administrator immediately to initiate Child Find procedures.

Annually, in the fall, letters and flyers are mailed to community agencies, Doctor's offices, area private/parochial schools, local daycares, and churches, etc. to inform and educate the public about the need to locate and identify all children with disabilities. Pre-School screening is the initial step in the process of identifying children with educational disabilities (ages 2.5 to 4). Those children who display difficulties during the screening may be referred for evaluation to identify eligible disabilities.

Cohasset Public Schools is also committed to identifying children before their third birthday in order to provide early intervention services for three and four year-olds with disabilities. If you have questions or concerns regarding your child's development and would like to have them screened, please contact the Office of Student Services at 781-383-6104.

If you suspect that your child may need an evaluation to determine eligibility for special education services, you may request an evaluation, at no cost, through the Cohasset Public Schools' Office of Student Services Department.

Child Find: Private & Home School Students

It is the responsibility of the Cohasset Public Schools to identify any child who may have a disability who is a resident of Cohasset or who attends a private school within the geographic boundaries of Cohasset, even if the student is not a resident of Cohasset. This also includes students who are homeschooled. Families who have children at private schools can seek the evaluation through the district in which they reside, or through the district where the school is located. The Team will develop an educational service plan to be implemented by the town of which the private school resides, or students can access services at the appropriate Cohasset school.

Communication with Non-English Speaking Parents (Translations & Interpretations)

When working with families whose primary language is not English, the district is required to provide translation and interpretation services. These services may include interpreters at team meetings, as well as having documents translated.

If the "Home Language" Field indicates a language other than English, families identify if WRITTEN TRANSLATION IS REQUIRED. Interpreters are secured as required for phone calls and IEP meetings. When translation is required, all documents sent home should be translated including, the N1 forms, Evaluation consent forms, meeting Invitations, assessments, IEPs and progress reports.

All translation/interpretation requests must be submitted using one of the following three forms:

Referral Procedures

Initial Referral

A student may be referred for an evaluation by a parent/ guardian/caregiver or a professional who suspects that a child has a disability and may need specialized services. All interventions, instructional practices, and accommodations should be documented in the Multi-Tiered System of Support (MTSS) process if the referral for special education has been put forward by the school district. MTSS can also be implemented in conjunction with a referral for evaluation.

Once a formal referral by a parent, guardian, caregiver or other person for evaluation has been expressed in writing the school district may not delay the provision of said evaluation. The district must promptly and without delay send notice and seek permission to conduct an initial evaluation for special education eligibility. The school district has five (5) school working days from receipt of referral to send the parent/guardian the evaluation consent form for their signature and consent. Parent/guardian consent for evaluations must be obtained before initiating the evaluation.

School Based Referral

After the principal/ designee determines that all efforts have been made to meet the needs of the student within the general education program, and these efforts have not been successful, a student shall be referred by school personnel for an evaluation to determine eligibility for special education services or support from a 504 Plan. The principal/ designee shall ensure that all intervention strategies, accommodations and instructional support provided to the student will be reviewed by the evaluation TEAM when determining specific areas to be evaluated. Timely process shall be followed if the student is suspected of having a disability.

Student Privately Placed by Parent or Home Schooled

For students who are enrolled in a private school or are home schooled and for whom a request for an evaluation has been made, the school which the child would attend in Cohasset Public Schools will be responsible for the evaluation. Once the referral has been made, the district has an obligation to notify the parent/guardian in writing within five (5) school working days of the referral and provide them with an evaluation consent form.

End of School Year Evaluations

If consent is received within forty-five (45) school days before the end of the school year, a TEAM meeting will be held within the school year. This allows for the development of a proposed IEP or the completion of a written notice of the Finding of No Eligibility. For consents received fewer than 30 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 at the start of the following school year.

In all cases, no testing/ evaluations should begin prior to receiving the evaluation consent form back with a check indicating consent and a parent signature. Verbal consent is not sufficient.

The state laws and regulations have established timelines that all school districts must adhere to in the special education eligibility process. The district has 30 school days from receipt of parent/guardian consent to conduct all required assessments and an additional 15 school days to convene a team meeting and determine whether or not the student is eligible for special education and develop an IEP. The total timeline is forty five (45) school working days.

Special Education Timelines

Once a referral is made either in writing from a parent/guardian/caregiver, other person or by the MTSS TEAM/teacher, it is necessary to follow the following guideline set out by state laws and regulations.

Action	Timeline/ Paperwork
Request for an Evaluation- When a student is referred for an evaluation to determine eligibility for special education, the school district shall send written notice to the student's parent/guardian...	<p>Within 5 school days to include:</p> <ul style="list-style-type: none"> ● Notice of Proposal (N1) ● Evaluation Consent Form (N1A) ● Home Component (if applicable) ● Health Assessment (if applicable) ● Parent's Notice of Procedural Safeguards
Initial Evaluation and Re-Evaluation	<p>Within 30 school days of receiving parental consent:</p> <ul style="list-style-type: none"> ● Assessments must be completed ● IEP Meeting Invitation and Attendance sent to families
<p>After receipt of the written consent to an initial evaluation or reevaluation, the district shall hold and eligibility meeting and provide the parents with two copies of the proposed IEP and proposed placement along with the required notice within 45 school working days.</p>	
<p>Proposed IEP- The school district will send home the proposed IEP, placement page, N1 Letter, and transition plan (if applicable) within 5 school days after the IEP meeting.</p>	
<p>Placement Meeting- If the Team needs to reconvene the Team after eligibility to determine placement, the Team must reconvene within 10 school days following the meeting when the Team developed the IEP.</p>	
<p>Parent/Guardian Response to Proposed IEP and/or Placement- The parent/guardian shall respond to the IEP and Placement no later than 30 calendar days after receipt of the proposed IEP.</p>	
<p>When a student is not eligible, the Notice of School District REFUSAL TO ACT (N2) must be sent to the parent/ guardian no later than 2 days following the team meeting.</p>	

Evaluation Procedures

Upon receiving the signed **Consent to Evaluate- N1A** from the parent/guardian, the Cohasset Public Schools shall complete the accepted evaluations for the student within thirty (30) school days.

Assessments must be administered by trained staff in the language and form most likely to yield accurate information regarding what the child knows and can do academically, developmentally and social/emotionally (if this is a concern) and functionally, unless it is not feasible to do so.

For students with Limited English Proficiency (LEP) or who are English Learners (EL), Cohasset Public Schools must first assess the student's proficiency in English and their native language proficiency in reading, writing, speaking and comprehending before conducting a special education evaluation. If the student's primary language is in question; refer to the Home Language Survey completed at the time of registration.

Evaluations of the student must be made in all areas of suspected disability in order to determine eligibility for special education 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 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 or 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.

Evaluations are required prior to a finding that a student is no longer eligible, except for graduation with a regular diploma or aging out. For those students, the Liaison must complete a Summary of Student Performance, including recommendations on how to assist the child to meet post-secondary goals.

Team members shall coordinate the times of their assessments with the student's teacher(s) and other evaluator(s) so that the student is not over-tested on any given day. When practicable, advance notice should be given to teacher(s) and the student so that class work can be adjusted and/or made-up if needed.

All evaluation reports should be written in clear and basic language. Evaluators need to indicate and explain which assessment(s) was used and should interpret and summarize results and diagnostic impressions to help the Team determine eligibility, including the student's present level of performance and area(s) of need arising from the student's disability. Educationally relevant recommendations must be identified in the report to ensure the student's involvement and progress in the general education curriculum.

The Team Chair will ensure that the assessments are completed within thirty (30) school days upon receipt of the parent/guardian signed consent. Evaluation Team members must submit completed evaluation reports to the Team Chair. Forty-eight (48) hours prior to the IEP meeting, reports will be made available to the parent/guardian.

Oral and written communication with parents must be provided in the parent's primary language if such primary language is other than English. In such cases, the Team Chair will be responsible for arranging for an interpreter or written translation in advance of the meeting.

Initial Evaluation

When a student is referred for an initial evaluation by either a school team or by a parent/guardian the Team Chair or his/her designee will send out a Parent/Guardian Consent packet within 5 school days of receiving the request. This will consist of:

- Proposal to Conduct an Initial Evaluation (N1 Notice of Proposed Action)
- Consent to Evaluate (N1A Evaluation Consent Form)
- Home Component- Initial Evaluation Version
- Procedural Safeguards

The District is required to complete the following assessments as part of the Initial Evaluation:

- An Assessment in all areas related to the suspected disability(ies)
 - Assessments required for **Specific Learning Disabilities (SLD)**: When a specific learning disability is the suspected disability, the SLD Determination documents must be used to aid in this determination. These forms consist of a historical review and educational assessment, identification of the specific area(s) of concern and evaluation methods, an analysis of certain exclusionary factors, a mandatory observation form (which has been completed by someone other than the classroom teacher), and, finally, a Team determination of eligibility that all Team members must sign. Additionally, all

- students suspected of having an SLD, must have an observation as part of their evaluation process.
- Adaptive Testing must be included in all initial evaluations for students suspected of having an Intellectual Impairment. Adaptive testing may be included in reevaluations if deemed necessary.
- An Educational Assessment which included the history of the student's educational progress in the general curriculum and includes current information on the student's performance
 1. **Educational Assessment (28R/1) (Part A)**
 - Secondary Level:
 - Initial Evaluations: Completed by the Guidance Counselor and Team Chairperson
 - Re-Evaluations: Completed by the Guidance Counselor and Team Chairperson
 - Elementary Level: Completed by the MTSS Team
 - Initial Evaluations: Completed by the MTSS Team
 - Re-Evaluations: Completed by the MTSS Team
 2. **Educational Assessment (28R/11) (Part B)** completed by the student's current teachers. These forms are distributed by Team Chairs for Initial Evaluations. These forms are distributed by Special Education liaisons for Re-Evaluations.
- An Observation of the student which includes the student's interaction in the classroom environment or in a child's natural environment or an early intervention program.
- Transition Assessment for students 14 and older (can be formal or informal)

The following assessments are optional and may be recommended by the Team or requested by the parent/ guardian:

- Psychological Assessment which describes the student's learning capacity and learning style in relationship to social/emotional development and skills
- Health Assessment which details any medical problems or constraints that may affect the student's education.
- A Home Assessment which details parents input and developmental history.

Upon receipt of the signed and accepted Consent to Evaluate form (N1A), the Team Chair or his/her designee will notify the team members who will be completing the accepted assessments. Assessments must be completed within thirty (30) school days upon receipt of the signed Consent to Evaluate Form. Assessments and assessment reports must focus on the suspected disability as well as the student's current level of performance. Furthermore, all assessment reports must include recommendations for educationally relevant accommodations and/or modifications to ensure the student's involvement and progress in the general education curriculum.

The Team Chair or his/her designee will schedule the Team meeting and send a Team meeting invitation with a list of invitees to the parent/guardian and the student, if 14 years or older. In the event that the parent /guardian calls to change the meeting time/date, the Team Chair or his/her designee will resend the Team Meeting Invitation and indicate that the change is at the request of the parent/guardian.

Re-Evaluation

A re-evaluation will be conducted for each student with a current IEP every three years or more frequently if requested or recommended. Re-evaluations occur not more frequently than once a year unless both parents and the Team agree that evaluation is needed. When a student is referred for a re-evaluation, existing evaluation data should always be reviewed first.

The Team Chair or his/her designee will send out a Parent/Guardian Consent Packet consisting of:

- Proposal to Conduct an Re-evaluation (N1- Notice of Proposed Action)
- Consent to Evaluate (N1A Evaluation Consent Form)
- Home Component- Re-evaluation Version
- Procedural Safeguards

If the parent does not return the Evaluation Consent Form within 10 school days, the Team Chair or his/her designee will follow up by contacting the parent/guardian. Additional efforts to obtain parental consent will be made and documented. If the parent/guardian consents or refuses to consent to any re-evaluation and the District determines that such action will deny the student a Free Appropriate Public Education (FAPE), the District may seek resolution through the Bureau of Special Education Appeals.

When a student is referred for a re-evaluation, existing evaluation data should be reviewed first. If data supports that formal evaluation is not needed in a particular area to determine whether the student continues to be eligible for special education services, the Team may request that the parent/guardian waive certain assessments. The parent may either consent to waive the assessment(s) by signing the Request for Waiver of Assessment(s) 28/R2 or may choose to have the assessment completed regardless of the recommendation for waiver.

A signed Consent to Evaluate in all areas of suspected disability is required prior to finding a student is no longer eligible for special education services. The only exception is when a student graduates with a high school diploma or ages out of school at the age of 22. For these students, the Liaison must provide a summary of academic and functional performance including recommendations on how to assist the student in meeting his/her post-secondary goals.

Upon receipt of the signed and accepted Consent to Evaluate form, the Team Chair or his/her designee will notify the team members who will be completing the accepted evaluations and Educational Assessment A and B. Evaluations must be completed within thirty (30) school days upon receipt of the signed Consent to Evaluate Form. The Team Chair or his/her designee will schedule the Team meeting and send a Team Meeting Invitation, with a list of invited Team members, to the parent/guardian and the student if 14 years or older. In the event that the parent/guardian needs to reschedule the meeting, the Team Chair or his/her designee will resend the Team Meeting Invitation and indicate that the change is at the request of the parent/guardian.

All requirements mandated for Initial Evaluations, remain true for re-evaluations. Assessments and assessment reports must focus on the suspected disability as well as the student's current level of performance. Furthermore, all assessment reports must include educationally relevant

accommodations and modifications that will ensure the student's participation and progress in the general education curriculum.

Extended Evaluation

If the Team has found the student eligible for special education services, yet the evaluation is insufficient, with the parent/guardian consent, the Team may consider an Extended Evaluation.

Extended Evaluations cannot be used to:

- Extend the evaluation timeline for completion of required assessments
- Deny programs or services to the student
- Constitute a temporary placement.

The Team should write a partial IEP or full IEP in conjunction with the completion of the Extended Evaluation EE 1-2. This action will ensure, with the parent/guardian acceptance of the IEP, that the student is not being denied services.

An Extended Evaluation may extend longer than one (1) school week, but shall not exceed eight (8) school weeks. The Team may decide to meet during the evaluation period, but must reconvene promptly once the additional evaluation is completed, to review the assessment results and/or complete the IEP.

Team Meeting Requirements

For an annual IEP meeting, a draft of the IEP may be brought by the teacher as a working document for discussion by the team. At the end of the meeting, the parent will be provided with the Team Meeting Notes and a copy of the service delivery grid.

For a Reevaluation or initial evaluation, paperwork brought to the meeting may include the eligibility flowchart, SLD paperwork, test reports, in addition to the draft.

At least two (2) days prior to an evaluation Team meeting, evaluation reports need to be made available to parent/guardian. Reports should clearly express the data as well as the findings and recommendations from the evaluation sessions. Nationally normed, standardized tests are necessary for determining eligibility for special education.

Video conferencing, telephone conferencing or virtual meetings may be used as alternatives to face-to-face meetings.

All other potentially required forms should be available, including but not limited to: attendance sign-in sheet, transportation, autism checklist, individual evacuation plan, prevention of physical restraint information, and release of records.

Parent Participation in IEP Meetings

Section 300.322 of IDEA (<https://sites.ed.gov/idea/regs/b/d/300.322>) details the need to ensure parent participation in IEP meetings as follows:

Conducting an IEP Team meeting without a parent in attendance. A meeting may be conducted without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case, the public agency must keep a record of its attempts to arrange a mutually agreed on time and place, such as—

- (1) Detailed records of telephone calls made or attempted and the results of those calls;
- (2) Copies of correspondence sent to the parents and any responses received; and
- (3) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

As a general rule, the Team should attempt to hold the meetings two separate times prior to holding the meeting without the parent on the third attempt. After each scheduled meeting that the parent does not attend, the Team Chair or Evaluation Team Secretary should call the parent to attempt participation in any format that is convenient for the parent, such as a phone conference or Google Meet. Each attempt to contact the parent should be documented in the N1 after the meeting is eventually held. If CPS cancels a meeting for any reason, including staff absence, this does not count as an attempt to hold the meeting. This rule applies to Manifestation Determinations as well.

Team Membership

The following are mandated members of the IEP Team (individuals may serve in more than one role as appropriate):

- Student's parent/guardian
- Team Chair or his/her designee
- At least one general education teacher familiar with the student
- At least one special education teacher familiar with student
- An individual who can interpret evaluation results for each assessment completed
- Other individuals who have knowledge or expertise regarding the student
- The student if age 14 or older
- Other adult transition agencies as appropriate

The Team meeting is designed to incorporate school staff, parent/guardian and other invited personnel as a unified group to determine eligibility, develop an IEP and/or placement for a particular student.

The Cohasset Public Schools are dedicated to ensuring parental involvement in the Team process. Every effort will be made to ensure this participation. If a parent is unable to attend the Team meeting, the district will provide the parent/guardian with the opportunity to participate via conference call, teleconferencing or other means agreed upon by the district and parent/guardian.

Ensuring Parent Participation Before, During, and After the Team Meeting

- Before the Team meeting, parents may receive several forms to ensure participation in the IEP process, such as meeting agenda, home assessment, health assessment, etc.
- As part of initial and three year re-evaluations, parents complete a Home Assessment/questionnaire
- Whenever possible, students are given the opportunity to have input through a student participation form that is completed before the Team meeting. Liaisons complete this work with students starting at age 13.
- At the Team meeting, parent input is documented through the parent concerns section of the IEP. Parents are encouraged to submit concerns in writing and informed that their statements will be copied directly into this section of the IEP.
- Upon receipt of proposed IEPs, parents are also sent a questionnaire to provide feedback to the District. This feedback is carefully considered and used to help improve our ability to collaborate with parents and increase their participation in the development of their child's IEP.

Team Member Excusal

Members of the IEP Team may be excused from attending a Team meeting if the parent/guardian agrees in writing in advance of the meeting. If the Team will be discussing the excused Team member's area, then the excused member must provide his or her input in writing before the Team meeting. If the parent/guardian does not agree to excuse the Team member, then the meeting must be rescheduled to a time when he or she can be in attendance.

Eligibility

The Team utilizes the Special Education Eligibility Flowchart (ED1) to assist in making eligibility determinations. The flow chart becomes part of the student's record but does not need to be mailed to the parent/guardian. If the student is found eligible, the ED1 should not be attached to the student's IEP. To be eligible for special education services, a student must first be found to have a disability and as a result of the disability, be unable to progress effectively in the general education programs without specially designed instruction and/or be unable to access the general education curriculum without one or more related services.

(All conditions must be met to determine eligibility)

Disability Categories

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 300.7.

Federal Definition:

- (i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (b)(4) of this section.
- (ii) A child who manifests the characteristics of "autism" after age 3 could be diagnosed as having "autism" if the criteria in paragraph (c)(1)(i) of this section are satisfied.

Communication Impairment: The capacity to use expressive and/or receptive language is significantly limited, impaired, or delayed and is exhibited by difficulties in one or more of the following areas: speech, such as articulation and/or voice; conveying, understanding, or using spoken, written, or symbolic language. The term may include a student with impaired articulation, stuttering, language impairment, or voice impairment if such impairment adversely affects the student's educational performance.

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.

Emotional Impairment: As defined under federal law at 34 CFR §300.7, the student exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance: an inability to learn that cannot be explained by intellectual, sensory, or health factors; an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; inappropriate types of behavior or feelings under normal circumstances; a general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms or fears associated with personal or school problems. The determination of disability shall not be made solely because the student's behavior violates the school's discipline code, because the student is involved with a state court or social service agency, or because the student is socially maladjusted, unless the Team determines that the student has a serious emotional disturbance.

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.

Intellectual Impairment: The permanent capacity for performing cognitive tasks, functions, or problem solving is significantly limited or impaired and is exhibited by more than one of the following: a slower rate of learning; disorganized patterns of learning; difficulty with adaptive behavior; and/or difficulty understanding abstract concepts. Such term shall include students with mental retardation.

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.

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.

Sensory Impairment:

The term shall include the following:

1. **Hearing** — The capacity to hear, with amplification, is limited, impaired, or absent and results in one or more of the following: reduced performance in hearing acuity tasks; difficulty with oral communication; and/or difficulty in understanding auditorily-presented information in the education environment. The term includes students who are deaf and students who are hard-of-hearing.
2. **Vision** — The capacity to see, after correction, is limited, impaired, or absent and results in one or more of the following: reduced performance in visual acuity tasks; difficulty with written communication; and/or difficulty with understanding information presented visually in the education environment. The term includes students who are blind and students with limited vision.
3. **Deaf-Blind** — Concomitant hearing and visual impairments, the combination of which causes severe communication and other developmental and educational needs.

Specific Learning Disability: The term shall have the meaning given in federal law at 34 C.F.R. §§300.7 and 300.541.

(i) General. The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

(ii) Disorders not included. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage

Effective Progress

When determining eligibility for special education services, Teams must judge whether a student is making effective progress in the general education program. To do so, the Team must determine if the student has:

- Made documented growth, with or without accommodations, in the acquisition of knowledge and skills, social/emotional development, the learning standards of the Massachusetts Common Core Standards and the curriculum of Cohasset Public Schools
- Made growth according to the chronological age, the development expectations and the educational potential of the child

Also the Team must specifically determine whether the student's identified disability is the reason why the student is not making effective progress. Teams analyze the evaluation findings to see whether the lack of progress is a result of the disability, or the result of other factors. Only if the Team determines that the lack of progress is associated with the disability, may the Team continue to discuss possible finding of special education eligibility. According to State and Federal regulations, a student may not be found "eligible" solely because the student is unable to follow the school discipline code, has limited English proficiency, is socially maladjusted or has lacked reading or math instruction. These reasons may be considered by the Team, but the essential finding of the Team must be that the lack of progress is, at least in part, a result of the identified disability(ies).

After the determination of a disability and lack of progress as a result of that disability the Team must ask the final question in order to determine special education eligibility.

The Cohasset Public Schools has a wide assortment of assessment criteria that may be used to determine whether a child is making effective progress or not. **No one single measure should be used to make this determination.** The following list identifies the most common means available to measure effective progress:

- Portfolio assessments
- Quarterly grades
- Psycho-Educational assessments
- Initial and Reevaluation data
- Daily/weekly student logs
- Homework completion
- Feedback from parents
- Disciplinary assessments
- Baseline data collection
- Progress reports
- Pre-and post-academic testing
- Ongoing written observations
- Observations by staff
- Feedback from students
- Development checklists
- Student journals

Specially Designed Instruction

Does the student require specially designed instruction in order to make progress?

Specially designed instruction includes modifications that affect content, delivery of instruction, methodology and/or performance and evaluation and they are essential to assist the student in participating in, and learning the general education curriculum.

Specially designed instruction is an absolute requirement for students found eligible for special education.

Related services necessary to access the general education curriculum are considered special education, and may be provided alone or in combination with other specially-designed instruction.

If a student only requires accommodations, then that student is not eligible for special education services, since best practice indicates that accommodations are provided by general educators within the general education environment. Examples of these accommodations include, but are not limited to; preferential seating, pencil grip use, extended time or cooperative learning strategies. Accommodations do not involve changing the content material (that is specially designed instruction); rather they allow a student to receive information and support to access the curriculum. In these cases, a 504 Plan may be appropriate and a referral to the school's 504 TEAM should be made immediately.

Related Services: Cohasset Public Schools provides a range of related services including but not limited to:

- Speech and Language Therapy
- Occupational Therapy
- Counseling
- Physical Therapy
- Psychology/Social Work
- Orientation and Mobility Services
- Vision Services (Teacher of Visually Impaired)
- Deaf/Hard of Hearing Services (Teacher of the Deaf)
- Specialized and Functional Curriculum
- Community/Vocational Training
- Applied Behavior Analysis Services (ABA)
 - Home ABA Services
- Pre-vocational Instruction
- Transportation
- Nursing Services

A Finding for Eligibility

If the Team determines the student is eligible for special education services using the Special Education Eligibility FlowChart, the Team must identify those services and an IEP must be developed to reflect those services. In most cases an IEP is discussed and developed within a single meeting, after the determination of eligibility has been made.

The final step in the IEP process is determining the appropriate placement for the student. The decision of the type of placement should be held by the Team immediately after the IEP is developed. If this does not happen for a specific reason, then the placement meeting must be held within ten (10) school days of the initial IEP meeting. The placement must reflect the IEP goals and services that the Team has identified as necessary in order for the student to make effective progress.

When making the placement decision, the Team must be mindful of the requirement related to the student's right to a Free Appropriate Public Education (FAPE) in his/her Least Restrictive Environment (LRE).

Thereby, the first type of placement option consideration for all eligible students is within the general education classroom with the use of supplemental aids and services. Students may not be denied education in age appropriate general education classrooms because the student requires accommodations and modifications to the general education curriculum. Other options should be considered only when the nature and severity of the disability prevents satisfactory progress/achievement within the general education environment.

Refusal to Act

If a student, during an initial evaluation, is found ineligible for special education services, the Team will note key evaluations findings and next steps, including recommendations of possible instructional support services. The process is completed by sending the parent/guardian the school district's findings on the Notice of School District Refusal to Act, N2. The Notice of School District Refusal to Act is used because the school district is refusing to change the identification status of the student (from needing only the general education program). The school district must also include within the notice an easily understandable statement that the parent has the right to appeal the school district's decision.

Finding of No Eligibility

The TEAM must make a finding of no eligibility:

- If the student does not have a disability;
- If the student does have a disability but is making effective educational progress without the need for supportive services;
- If the student shows a lack of educational progress but it is not due to a disability, or
- If the student does not require specially designed instruction.

If the team finds the student ineligible for special education for any of the above reasons, after either an initial evaluation or reevaluation meeting, the team must send out a Notice to parents/ guardians indicating that the student was found Not Eligible for Special Education. **The N2 Form is used when the finding occurs as the result of an initial evaluation, and the N1 Form is used when the finding is the result of a reevaluation.** All questions on either form should be answered thoroughly. When completing the N1 following a reevaluation meeting, a date for discontinuing services should be noted at thirty (30) days from the date of the team meeting, unless the team agrees that services should be discontinued immediately, in which case that should be noted in the N1. The thirty (30) day timeline allows the parent/ guardian an opportunity to appeal the team's finding at the BSEA if they so choose.

If the student has a mental or physical impairment that substantially limits a major life activity, the student may be eligible for a Section 504 Plan.

The Principal or designee convenes a team to determine if the student is eligible under Section 504; if a Section 504 Plan is appropriate; and, if so, what should be included in that plan. The student's classroom teachers and the Principal, as well as the parent, must all be members of that team. The Principal or designee may identify other team members. Eligibility for a Section 504 Plan is determined following the guidelines for 504 eligibility.

Parents must be informed by the Team Chairperson in writing of the finding of no eligibility for special education using either the N2 or N1 form. All 6 questions must be completed, and Parents/guardians have the right to appeal any eligibility determination to the Bureau of Special Education Appeals (BSEA), including a finding of no eligibility. Parents may contact the BSEA directly or request the district's assistance with this process. **This information is included in the Procedural Rights Brochure, which must be sent to parents at least once per school year.**

If it is the determination of the TEAM that the student does not qualify for special education services or that a student is no longer in need of services, the TEAM must make a finding of "No Eligibility." It is the TEAM Chairperson's responsibility to:

1. Complete the Eligibility Flow Chart Sheet

2. ***Complete Notice of Finding of No Eligibility to the Parents (Initial Evaluation: Refusal to Act; Reevaluation: Proposal to Act, answer all questions completely)***. This notice should include a summary of assessments, a rationale for the decision, and a listing of any accommodations needed to ensure that the student continues to make effective progress. These accommodations may be made with or without a Section 504 Plan.
3. File copies of ED1 and N1, N2, N3 in the student file with back-up documentation.

Evaluation Tools: Evaluation tools are determined by the school evaluator, and may include but are not limited to areas below.

- Academic Testing
- Psychological Testing
- Behavioral Screeners/ Functional Behavior Assessment
- Physical Therapy Evaluation
- Speech/ Language Evaluation
- Occupational Therapy Evaluation
- Assistive Technology Evaluation
- Developmental / Arena Assessment (Pre-K)

Assistive Technology: When a Team is considering whether specific technology will be required in order for a student to access the general education curriculum, or participate more fully in the school day, providers may make recommendations based on their specific area of expertise. If the team can identify a low tech AT device (ex: core boards, visual schedules, District-approved, software applications, or any other available support for reading, writing or communication) the team can make these recommendations without the need for an AT evaluation. If the team or a parent is asking for an Assistive Technology evaluation, please reach out to the Team Chair and/ or the Director of Student Services. The Cohasset Public Schools contracts with an outside organization to secure AT evaluations.

The AT specialist will work with the team to review the data and information and discuss next steps; this may include a formal AT evaluation, if appropriate. For an initial referral, if AT is suspected, an AT evaluation should be included on the Consent form.

What is Assistive Technology (AT)?

- “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 child with a disability”. IDEA Section 300.5
- IEP teams are legally required to consider the need for AT during the development of all IEP meetings. 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 schools’ curriculum, programs, and services.
- Each team member is legally responsible for AT consideration. It is not the responsibility of just one person.

Assistive Technology Examples:

- Low Technology: pencil grips, paper-based organizers, picture symbols, slant boards, etc.
- Mid Technology: headphones, switches, audio/talking books, etc.
- High Technology: software with editable graphic organizers, highlighting in digital formats, speech-to-text, screen reading, word prediction, etc.

Cohasset Public Schools: Assistive Technology (AT) / AAC Process

1. Referral for AT Consultation or Evaluation

- A student is referred for an AT consultation or formal evaluation when the Team identifies challenges that may be supported by assistive technology or AAC.
- The referral is submitted to the Office of Student Services.

2. Coordination of AT Consultation/Evaluation

- The Office of Student Services schedules and coordinates the AT consultation or evaluation with the AT/AAC Specialist.
- The Specialist meets with the team, reviews concerns, works with the student, and determines whether a formal evaluation or additional trials are needed.
- If a formal evaluation is requested, we ensure parent/guardian consent is obtained.

3. Eligibility Determination

- After the consultation or evaluation, the AT/AAC Specialist provides recommendations based on data and observed needs.
- If the student is determined to need AT or AAC services or a device to access the curriculum, the Team includes these supports in the IEP or Section 504 Plan.

4. IEP Documentation

- AT/AAC accommodations, tools, or device trials are documented in PLEP A/B.
- Any required training for staff, the student, or family is documented on the A-Grid, listing Assistive Technology as the service and the AT Specialist as the provider.

5. Service & Device Coordination

- Once the IEP is signed, the Office of Student Services coordinates implementation of AT/AAC services based on the IEP and service delivery grid.
- If equipment or software is required, Office of Student Services collaborates with the AT Specialist and/ or IT Department to initiate the ordering process.

6. Provision of AT/AAC Tools or Devices

- The Office of Student Services places the order for the recommended technology—this may include communication apps (e.g., TouchChat), hardware, or other assistive tools.
- Once obtained, the AT Specialist supports set-up, customization, and training as outlined in the IEP.

Individualized Education Program (IEP)

If the Team determines the student is eligible for special education, the elements of an Individualized Education Program (IEP) must be discussed, planned, and then captured in a written document. Input from parents, the student, general educators, and special educators is necessary to complete this service contract that sets high expectations for a student and then guides that student's special education services for the next year.

Upon determining that the student requires special education and based on the evaluative data, the Team shall write an IEP for the student and decide the student's placement. The IEP shall describe the special education and related services the student requires and shall include all elements required under federal and state law.

(a) The IEP shall include **specially designed instruction** to meet the needs of the individual student and related services that are necessary to allow the student to benefit from the specially designed instruction **or may consist solely of related services** that are necessary to allow the student to access the general curriculum, consistent with federal and state requirements.

(b) The Team shall carefully consider the general curriculum, the learning standards of the Massachusetts Curriculum Frameworks, and the curriculum of the district and shall include **specially designed instruction or related services in the IEP designed to enable the student to progress effectively in the content areas of the general curriculum.**

(c) For any student approaching graduation or the age of twenty-two, the Team shall determine whether the student will likely require continuing services from adult human service agencies. In such circumstances, the Administrator of Special Education shall make a referral to the **Bureau of Transitional Planning** in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c. 71B, § 12A through C (known as Chapter 688).

(d) The daily duration of the student's program shall be equal to that of the regular school day unless the Team states that a different duration is necessary to provide a free appropriate public education to the student. In such a case, the Team shall specify the daily duration of the program, and the Team shall state on the IEP the reason for such different duration.

New IEP Form: The Cohasset Public Schools has fully transitioned to the New IEP Form. The IEP must address areas of educational need based on the student's disability. The Team must also look at the student's overall involvement within the school, including participation in extracurricular and other nonacademic activities and for preschool students, participation in appropriate activities to ascertain other areas of need. The Team may consider how students communicate with others, how the students' behavior affects their learning or the learning of others, how assistive technology could support effective progress or how the students' disabilities affect transition to post-secondary activities.

When developing the IEP for a student with an existing IEP, the Team should always review the content of the existing IEP as they begin developing a new IEP. The new IEP should be revised and updated as needed to shift goals and services and to demonstrate a progression of learning. Each year's measurable goals should clearly show a step by step increase in a student's learning outcomes. Also, if necessary, any lack of expected progress needs to be discussed and addressed and documented in the N1.

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE:
ACADEMICS

Teams must describe the student’s present levels of academic achievement and functional performance in the relevant areas (English Language Arts, History and Social Sciences, Math, and Science, Technology, and Engineering. If applicable, teams. Include relevant information and data from sources such as initial or most recent evaluations; documentation from classroom performance; parent(s), student, and teacher observations; and curriculum-based and standardized assessments, including MCAS.

In this section of the IEP, Team will complete the following:

<p>Briefly describe current academic performance. Check all that apply:</p> <p><input type="checkbox"/> English Language Arts</p> <p><input type="checkbox"/> History and Social Sciences</p> <p><input type="checkbox"/> Math</p> <p><input type="checkbox"/> Science, Technology, and Engineering</p>	<p>Strengths, interest areas, and preferences</p>	<p>Impact of student’s disability on involvement and progress in the general education curriculum or appropriate preschool activities</p>
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If students have a diagnosis of Autism, the following section will be completed:

Autism-Specific Question: Does the student have needs resulting from the disability that impact progress in the general curriculum, including social and emotional development (e.g., organizational support, generalizing skills, practicing skills in multiple environments)?

- Yes No

If yes, this need will be addressed in the following section(s) of the IEP:

<p><input type="checkbox"/> Accommodations/Modifications</p> <p><input type="checkbox"/> Goals/Objectives</p>	<p><input type="checkbox"/> Services Delivery Grid</p> <p><input type="checkbox"/> Additional Information</p>
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PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE:
BEHAVIORAL/SOCIAL/EMOTIONAL

Teams must briefly describe current behavioral/social/emotional performance. They should consider the use of positive behavioral interventions and supports, and other strategies, to address behavior that impedes learning.

Bullying- Teams must determine and describe any disability-related skills and proficiencies the student needs in order to avoid and respond to bullying, harassment, or teasing. This section must be completed for students who have a disability that affects social skills development; students vulnerable to bullying, harassment, or teasing; and students with autism. The Team will specify how these needs, if any, will be addressed in the IEP.

Autism-Specific Questions- During the development of an IEP for a student eligible for special education services under the category of Autism, the Team Chair or designee will review the contents of this checklist with other Team members to determine whether services related to each area should be included in the IEP. Information should be written in additional information and #5 on the N1.

If a Student has Autism, The Team must answer the following section of this Present Levels Page:

The following questions must be answered:

Autism-Specific Question: Does the student require any positive behavioral interventions, strategies, and supports to address their behavioral difficulties resulting from autism spectrum disorder?

Autism-Specific Question: Does the student need to develop social interaction skills and proficiencies?

Autism-Specific Question: Does the student have needs related to changes in environment or to

Autism-Specific Question: Does the student have needs related to repetitive activities and movements?

Autism-Specific Question: Does the student have needs resulting from their unusual responses to sensory experiences?

If yes to any of the above, The Team will identify how these needs will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

Eligible Students with Behavior Problems

If an eligible student's behavior affects performances in the general education curriculum, then the interfering behavior should be reflected on the appropriate Present Levels of Performance Page. Teams are reminded that IDEA 2004 requires proactive steps in behavior management and in the provision of positive behavior support for eligible students whose behavior impedes their learning or the learning of others.

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE:
COMMUNICATION

If applicable, Teams must briefly describe current communication performance, student strengths, interest areas, and preferences, and the Impact of student's disability on involvement and progress in the general education curriculum or appropriate preschool activities

Augmentative and Alternative Communication (AAC):

If applicable, teams must identify: Does the student require the use of augmentative and alternative communication (AAC)? Teams will consider any AAC needs for non-speaking students or those with limited speech.

If yes, there will be a description of how the Team will address the student's needs (including acquiring, designing, customizing, maintaining, repairing, and/or replacing AAC device/system). The following sections will be completed:

- The student needs an AAC device/system at school.
- The student needs an AAC device/system at home or in other non-school settings to receive a free appropriate public education.
- The student needs training and/or technical assistance to use the AAC device/system.
- The student's family needs training and/or technical assistance concerning the AAC device/system.
- Educators, other professionals, employers, or others who work with the student need training and/or technical assistance concerning the AAC device/system.

The Team will consider if these needs will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

Additionally, the Team will answer applicable Autism-Specific Question: Does the student have needs in the areas of verbal and nonverbal communication, including but not limited to those

If yes, these needs will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE:
ADDITIONAL AREAS

If applicable, Teams must consider Additional Areas, as Applicable such as activities of daily living, health, hearing, motor, sensory, and vision. If identified, the Team must briefly describe current performance and any applicable documentation. Teams will describe strengths, interest areas, and preferences. A written statement on the impact of student's disability on involvement and progress in the general education curriculum or appropriate preschool activities will be included.

Please note that parent(s) are are only asked to share health information voluntarily.

This page will include services like Occupational Therapy and Physical Therapy.

Based on an identified need, the following sections of this page will be answered:

Deaf or Hard of Hearing

The student is deaf or hard of hearing, and their language and communication needs will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

Blind or Visually Impaired (including Cortical Visual Impairment)

Braille is needed and will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

Screen readers or other assistive technology are needed and will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

Orientation and mobility services are needed and will be addressed in the following section(s) of the IEP:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

Postsecondary Transition Planning

For eligible students aged 14–22, Teams complete and update annually the Transition Planning Form. Teams also complete this for students who are 13 and will turn 14 during this IEP period. The Individual with Disabilities Education Act (IDEA) is a federal law that mandates that transition planning occur for students in special education. IDEA defines transition services as... “A coordinated set of activities for a student, designed within an outcome- oriented process, that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The “coordinated set of activities” are individualized to the student’s needs, strengths, preferences and interests, and shall include instruction, community experiences, the development of employment and other post- school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation.” Transition planning supports the development of a post secondary vision for students. It is a collaborative effort that involves students, their families, and school staff.

Liaisons should meet with the student prior to their IEP meetings to explain the process and help them prepare. Parents/guardians should also speak with their students prior to the IEP meeting to help the student feel more comfortable. If a student does not want to attend their meeting, they may choose to come for a brief period of time at the beginning to discuss their transition planning, concerns, and vision for the next 5 years.

For some students, a successful transition from high school to adult life may require that planning activities begin in elementary school with students exploring their interests in middle school. Starting the process early prepares students with disabilities to think about what they want to be able to do in adult life. The IEP Team, with student input, considers the student’s needs, interests, challenges, preferences, abilities, etc. The discussion should begin with the Transition Planning Form (TPF) , development of the postsecondary (after high school) vision statement and goals. The goals and vision must be based on the student’s preferences and interest, indicating his or her desired outcome in adult living, post-secondary and working environments

Documenting Transition Services

A Transition Planning Form (TPF) will be completed on an annual basis and placed in the student’s special education file. All students will be interviewed as to their preferences and interests either at the Team meeting or, if not in attendance at the Team meeting, by a special education teacher or Guidance Counselor. The TPF is reviewed and updated annually. The transition services must also be documented in the IEP as follows:

Postsecondary Transition Briefly describe current performance.	Strengths, interest areas, and preferences	Impact of student’s disability on involvement in the general education curriculum and/or specific area of postsecondary transition
Education/training		
Employment		
Community experiences/postschool independent living, if applicable		

The Team will also consider areas of postsecondary transition and how they are addressed:

<input type="checkbox"/> Accommodations/Modifications	<input type="checkbox"/> Services Delivery Grid
<input type="checkbox"/> Goals/Objectives	<input type="checkbox"/> Additional Information

The Transition Planning Form will also include:

- Projected date of graduation/program completion:
- Projected type of completion document (diploma, certificate of attainment, or other locally defined completion document)
- Planned Course of Study: What requirements does the student need to meet to receive the type of completion document above? What is the student's planned course of study?
- What is the student's current status regarding meeting those requirements?

IEP Goals

IEP Goals should relate directly to those areas where the student's disability affects performance and should reflect a focus on those areas that make the biggest difference in the student's performance. Current performance levels and goals should relate directly to the previously written Present Levels of Educational Performance. Teams must connect current performance to measurable annual goals.

The IEP should be written with a direct connection between the current performance levels and the measurable annual goals. The current performance levels state what the student can currently do and identify 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.

Service Delivery Grid:

IEP services should be determined by the Team, based on documented needs commensurate with the area of disability, and based on data collected. Overall, the services and aids should lead the student to success and to greater independence.

The Cohasset Public Schools shall ensure that, to the maximum extent appropriate, students with disabilities are educated with students who do not have disabilities, and that special classes, separate schooling, or other removal of students with special needs from the general education program occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily. The removal of a student from the general education setting is supported in the Participation in the General Education Setting section of the IEP.

The service delivery grid is broken down into three sections. Each section identifies the manner in which the Special Education services are provided, as described below:

Grid A: Consultation or training for school staff and/or parents/guardians.

Grid B: Direct services delivered to students in the general education environment.

Grid C: Services provided to the student in any other type of setting

Each section of the Service Delivery must denote the type of service provider i.e. Special education teacher, Occupational Therapist. A specific amount of time per cycle needs to be identified for all areas as well as the start and end date for each service. All services, even services that CPS provides by private vendors, need to be included on the service delivery grid as District services.

If a student requires specific paraprofessional, or nursing assistance based on their disability in order to access the curriculum, this must be documented on the service delivery grid.

Adding Up the Service Delivery Grid- The Team Chairperson must make sure that the hours of service indicated in the IEP must not be greater than the hours in a school day (unless an extended day is indicated). If a Team Chairperson needs assistance with this process, they should contact a special education administrator for assistance. Additionally, the Team Chair must make sure the hours of service indicated for ESY do not extend beyond the intended service time.

Participation in the General Education Setting

Per IDEA, a child with a disability cannot be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum. Students with disabilities, including students in public and private institutions or other care facilities, are to be educated with students who are not disabled to the maximum extent possible. Special classes, schools, or other removal of students with disabilities from the general education environment should only occur if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily [34 C.F.R. § 300.114](#).

As such, the IEP team must note whether the student's educational needs can be met in the general education setting, with or without the use of supplementary aids and services. If not, the team must also provide an explanation of the extent to which the student will not participate in general education. The Team must include a description of the specific supplementary aids and services considered before determining that the student would be removed from a general education class or activity.

Schedule Modification

Teams must describe when a student's school day is modified (i.e. if the student requires a shorter or longer day). Teams must also determine if the student requires Extended Year Services by indicating that the student requires a longer year. This is indicated on the Extended School Year (ESY) Service Delivery Grid.

If a student requires extended school year services, they must be documented in the section for Extended School Year Services. If a student requires nursing or specific paraprofessional support for ESY, this too should be documented on the service delivery grid.

Non-participation, Length of School Day/Year,Transportation:

Teams must justify non-participation in the general education program. To reinforce IDEA's strong preference for involvement in the general education environment, the law requires a clear statement justifying why removal is considered critical to the student's program. The basis for the Team's conclusion that education of the student in a less restrictive environment, with the use of supplementary aids and services, could not be achieved satisfactorily.

Given reasons should focus on the benefit the student will receive from being outside of the general education environment. An eligible child should not be removed from the general education classroom solely because of needed modification of the curriculum. The justification should refer to any special education and related services recommended and not to potential placements.

Policies and Procedures for Extended School Year Programs

Extended School Year (ESY) programming is offered to students on a case-by-case basis, once significant regression of skills and limited recoupment capability have been documented by the student's Team. At least once annually, the student's Team must consider the need for an extended school year program and record its determination on the IEP.

In general, students enrolled in substantially separate programs are the most likely candidates to require an Extended School Year. Students receiving resource support or standalone therapy are less likely to require ESY, since they are more likely to fully participate in general education and less likely to exhibit significant regression.

Two types of students who will most likely receive ESY services are:

- Students diagnosed with more classic autism who require direct teaching methods such as ABA to learn;
- Students with multiple disabilities whose progress is significantly limited.

Students must exhibit significant regressions of skills when breaks in service occur; the overall standard recommended by OSEP and DESE consideration is the summer break. The best way to determine regression is to assess a student's skills before a break in service, and then after the break in service. Those who demonstrate significant regression would be the student who "forgot it all" over the break, and who required inordinately long periods of time to recoup skills after a break (in excess of six to eight weeks after a summer break, two to three weeks after a week-long break).

Additional consideration recommended by DESE:

- Lack of progress in meeting short-term IEP objective over two marking periods;
- The unique nature of any specially designed instruction-such as ABA

The student's Team must reconsider eligibility every year. A student may not be considered eligible just because he/she had ESY in a previous year.

ESY services do not need to be the same services delivered at the same frequency as provided during the regular school year; services are only needed in documented areas of regression based on a student's current IEP goals and objectives.

Services providers must maintain qualitative and quantitative data regarding the student including anecdotal records on the rates of both learning and relearning, as well as a student's attainment of IEP goals and objectives. Regression/ recoupment, time may be documented by the Team through the use of clinical evidence, classroom observation, progress notes, work samples or data collection.

Refer to Forms: Program Recommendation Form, ESY checklist, Extended School Year Program; 5 Week Program, Extended School Year Program; 6 Week Program, ESY Contact Form, ESY Progress Form

Extended School Year Definitions

Regression- All students, disabled and non-disabled, experience regression during breaks in instruction. For the purpose of ESY Services, regression is a decline in the performance of a skill or acquired knowledge, as specified in the annual goal(s) of the student's IEP that occurs during a break in instruction

Recoupment- A student's ability to regain the skill performance or relearn the acquired knowledge to approximately the same level that existed just prior to the break in instruction.

Significant- Regression/Recoupment is significant when the recoupment period is longer than the length of break in instruction.

Transportation

Transportation is a related service- Transportation is considered a related service under the Federal statute and may be appropriate to ensure that an eligible student can receive educational benefit from their IEP services. A recommendation for a student to receive transportation, as with other IEP decisions, relates back to the effect the student's disability(ies) has on transportation. Team members must ascertain whether the disability(ies) prevents the student from getting to the local school in the same manner as their non-disabled peers. On the IEP under Transportation Services, only check "yes" if the student requires specialized transportation, modifications or specialized equipment. The team shall determine whether the student requires transportation because of his/her disability in order to benefit from special education.

Regular transportation. If a student does not require transportation as a result of his or her disability, then transportation shall be provided in the same manner as it would be provided for as student without disabilities. In such a case, the IEP shall note that the student receives regular transportation, and if the school district provides transportation to similarly situated students without disabilities, the eligible student shall also receive transportation.

1. If regular transportation is noted on the student's IEP and the student is placed in a program located at a school other than the school the student would have attended if not eligible for special education, then the student is entitled to receive transportation services to such a program.
2. If regular transportation is noted on the student's IEP and the student is enrolled by his or her parents in a private school and receiving services under 603 CMR 28.03(1) €, such student is not entitled to transportation services unless the school district provides transportation to students without disabilities attending such private school.

Special transportation. If the Team determines that the student's disability requires transportation or specialized transportation arrangements in order to benefit from special education, the Team shall note on the student's IEP that the student requires special transportation. In such circumstances, transportation is a related service.

1. The Team shall determine necessary modifications, special equipment, assistance, need for qualified attendants on vehicles, and any 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.
 - A. The district shall arrange to have eligible students, who use wheelchairs, transported in vehicles that do not require such students to be removed from their wheelchairs in order to enter or leave the vehicles; however, this requirement shall not be applicable where a Team or the student's physician recommends that the student regularly transfer to or from a wheelchair for therapeutic or for independence training sessions.

B. The Team shall specify whether the student requires assistance in or out of the home, on or off of the vehicle, and in or out of the school. If such assistance is specified, the district shall ensure that it is provided.

C. The Team shall specify if the student has a particular need or problem that may cause difficulties during transportation, such as seizures, a tendency for motion sickness, behavioral concerns, or communication disabilities.

2. If special transportation is noted on the student's IEP, the student is entitled to receive transportation services to any program provided by the public school in which the student participates.
3. If special transportation is noted on the student's IEP, and the student is enrolled by his or her parents in a private school and receiving services under 603 CMR 28.03(1) € , the school district's obligation to provide transportation shall be limited to transportation services within the geographic boundaries of the school district.

In no event shall a school district allow transportation considerations to influence, modify, or determine the educational program required by any student in need of special education.

Does the student require transportation as a result of the disability(ies)?

No- Regular transportation will be provided in the same manner as it would be provided for students without disabilities. If the child is placed away from the local school, transportation is provided.

*Most students, even those who attend out of district programs, are considered regular transportation. A minibus/van in and of itself is not special transportation.

Yes- Special transportation will be provided in the following manner:

On a regular transportation vehicle with the following modifications and/or specialized equipment and precautions:

*This describes why mini bus transportation is needed, connecting it to the area of disability (bullying statement, safely navigating the walk from the bus stop, individual evacuation plan, needing a smaller cadre of students, communication, etc.).

On a special transportation vehicle with the following modifications and/or specialized equipment and precautions: *This is for wheelchair vehicles, etc.

MCAS

Massachusetts requires that all students, including those with disabilities, participate in the Massachusetts Comprehensive Assessment System (MCAS). Decisions regarding student participation are made through the Individualized Education Program (IEP) process and follow the guidelines established by the Massachusetts Department of Elementary and Secondary Education (DESE). The procedures below outline how our school ensures that each student has appropriate and equitable access to statewide assessments.

1. Determination of Assessment Participation

At each annual IEP meeting, the IEP Team determines how the student will participate in MCAS. Participation options include:

- Standard MCAS assessments, with or without accommodations.
- MCAS Alternate Assessment (MCAS-Alt) for students with the most significant cognitive disabilities who meet DESE eligibility criteria.

The IEP Team's decisions are documented in the Statewide Assessment section of the IEP.

2. Identification of Accommodations

For students participating in standard MCAS:

- The IEP Team identifies the instructionally-consistent accommodations the student requires during testing.
- Accommodations may include changes to the presentation, response method, setting, or timing of the test as allowed by DESE.
- Only accommodations that the student uses routinely during instruction may be included.

All accommodations selected must be clearly documented in the IEP.

3. Development of MCAS-Alt (When Applicable)

If the IEP Team determines that a student will participate in the MCAS-Alt:

- The team identifies the required content areas for the alternate assessment.
- Teachers collect and organize portfolio-based evidence aligned with grade-level standards, following all DESE requirements
- The completed portfolio is submitted according to the annual MCAS-Alt timeline.

4. Preparation for Testing

Prior to the administration of MCAS:

- Staff receive training on MCAS procedures, test security requirements, and the correct implementation of accommodations.
- Students are given access to required testing materials, assistive technology, and appropriate testing environments.
- Any necessary behavioral, organizational, or sensory supports identified in the IEP are prepared to ensure the student's readiness for testing.

Determining Which Student Should Be Alternately Assessed

It is the Department's goal to provide as many students as possible with an opportunity to learn (and be assessed on) grade-level curriculum; and to ensure that students with disabilities in high school are not deprived of the opportunity to earn a diploma.

While we affirm the authority of IEP teams to act without undue external influence to make final determinations about how (not whether) students with disabilities should be tested, it is reasonable to assume that some students who were designated for the MCAS-ALT in the past may be more suited in to either

- Take the standard MCAS next-generation test, either with or without accommodations now that new accessibility features and accommodations are available; or
- prepare a "grade-level" or "competence" portfolio for students with significant disabilities who are performing at or near grade-level expectations but are unable to demonstrate knowledge and skills on a paper-or computer based test.

Refer to Forms: The Parent Notification Letter- must be used to clearly inform parents as part of the IEP process that their child's academic achievement will be measured based on "alternate achievement standards," and participation in an alternate assessment may eventually delay or otherwise affect completing the requirements for diploma.

Who Should Take MCAS-ALT

A student with a disability who is working on learning standards that have been substantially modified due to the severity of the disability, and is receiving intensive, individualized instruction in order to acquire, generalize, and demonstrate knowledge and skills, and is unable to demonstrate knowledge and skills on a standardized, on-demand paper or online test, even with accommodations, should take

the MCAS-ALT in that subject (Teams decide annually in each content area).

 MASSACHUSETTS Department of Elementary and Secondary Education		Date Completed: <input type="text"/>	
ALTERNATE ASSESSMENT PARTICIPATION TOOL			
Student Name:	<input type="text"/>	Student SASID:	<input type="text"/>
District:	<input type="text"/>	Student DOB:	<input type="text"/>
School:	<input type="text"/>		
<p>Individualized Education Program (IEP) Teams should use the criteria below to determine if the student meets the criteria of the definition of "students with the most significant cognitive disabilities" to be eligible for the state-wide alternate assessment based on alternate achievement standards (e.g., MCAS-Alt).</p>			
PARTICIPATION CRITERIA:		SOURCES OF EVIDENCE: <i>Consider formal and informal results</i>	
1. Students' cognitive disabilities are evidenced by significant delays in attaining age-level academic achievement standards, even with systematic, extensive individually designed instruction, related services, and modifications.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="text"/>	
2. Students' cognitive disabilities significantly impact their educational performance and ability to apply what they learn from one setting to another.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Classroom Observations: <input type="text"/> OTHER: <input type="text"/>	
3. Student requires extensive, direct individualized instruction and substantial support to achieve measurable gains on the challenging State academic content standards for the grade in which the student is enrolled; and	<input type="checkbox"/> Yes <input type="checkbox"/> No	Clinical/Specialists Evaluations: <input type="text"/> OTHER: <input type="text"/>	
4. Students perform significantly below average in general cognitive functioning <i>and</i> adaptive behavior. <small>This is defined as a student functioning two or more standard deviations below the mean on commonly accepted norm-referenced assessments in <u>both</u> cognitive functioning <i>and</i> adaptive behavior (e.g., two or more adaptive skill areas such as daily living skills, communication, self-care, social skills, and academic skills).</small>	<input type="checkbox"/> Yes <input type="checkbox"/> No	Cognitive Evaluations: <input type="text"/> Adaptive Behavior Assessment: <input type="text"/>	
<input type="checkbox"/> Yes <input type="checkbox"/> No	The Team has reviewed <i>all</i> four criteria and determined <i>each</i> criterion has been met, and the student is eligible for the alternate assessment based on alternate achievement standards.		
<i>Participation in the alternate assessment indicates all content areas will be assessed. (ELA, Math, Science, Civics).</i>			

Least Restrictive Environment

The school district shall ensure that, to the maximum extent appropriate, students with disabilities are educated with students who do not have disabilities, and that special classes, separate schooling, or other removal of students with special needs from general education program occurs only if the nature of severity of the disability is such that education in general education classes, with the use of supplementary aids and services, cannot be achieved satisfactorily.

Placement Decision

The final step in the IEP process is determining the appropriate placement. The type of placement should be discussed immediately after an IEP is developed. The IEP forms the basis for the placement decision. The placement decision must be based on a careful reflection of the IEP, including the services that the Team has identified as necessary, and the impact of the disability on the student's learning. Finally, the Team must be mindful of the requirements related to FAPE (Free Appropriate Public Education) in the LRE (least restrictive environment). Only after the needs of the child and types of services have been discussed by the Team and agreed to in an IEP can the type of placement be effectively chosen by the Team. The first type of placement option considered for all eligible students will be the general education classroom with the use of supplemental aids and services.

Students may not be denied education in age-appropriate general education classrooms because the students' education requires modifications to the general education curriculum. Other options should be considered only when the nature and severity of the disability would prevent satisfactory achievement within the general education environment.

The IEP, under no circumstances, should be written "to fit" a particular placement. Teams must remember this critical fact when moving through the Team process to ensure that the IEP is written to address the unique needs of the student.

A link to the Cohasset Public Schools' Special Education Programs can be found here:

[Cohasset Public Schools Special Education Programs and Services- 2025](#)

Procedures for Considering "Bullying" for Students with Special Disabilities

Anti-Bullying

The Massachusetts Bullying Prevention and Intervention Law:

Chapter 92 of the Acts of 2010 (An Act Relative to Bullying in Schools) requires school leaders to create and implement strategies to prevent bullying, and to address bullying and retaliation promptly and effectively if they occur. Sections 7 and 8 of the law have specific implications for the IEP process and for students with disabilities.

Section 7 states: 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. (G.L. c. 71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Section 8 states: 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. (G.L. c.71B, §3, as amended by Chapter 92 of the Acts of 2010.)

Sections 7 and 8 of the bullying intervention and prevention law refer to three groups:

Students with disabilities

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

It is recommended that IEP Teams for these students carefully consider the supports needed to build each student's social skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

Implications for the Individualized Education Program (IEP)

Because the IEP serves as a vehicle for improving the educational experience and achievements of a student with disabilities, the IEP Team uses a variety of information sources, including evaluations, assessment information, and its discussions of the student's present level of educational performance and social acumen, to inform the development of the IEP. The IEP Team's discussion focuses comprehensively on the student's educational needs and on the student's overall involvement in the school, including participation in the general education curriculum and in extracurricular and other nonacademic activities. In this process, the IEP Team considers the student's disability and the impact of the disability on the student's interaction and communication with others.

- For all three groups of students with disabilities named in the bullying prevention and intervention law, the IEP Team must consider how the student's disability affects his/her learning the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. Many students will receive support in developing appropriate skills and proficiencies through general instruction. In such cases, the Team should include in the IEP any supports the student needs to learn the needed skills through the existing curriculum. As appropriate, the

Team should include in the IEP needed accommodations to the general education program, or goals, objectives, and special education services related to student's learning the necessary skills.

- Because of the nature of Autism Spectrum Disorders (ASD), progress in positive social skill development is already a likely focus within the IEP of every student with ASD. Social skills instruction should be at the student's skill level and appropriate for his/her age. The focus of the IEP in relation to the bullying intervention and prevention law will be to aid the student in accessing social and emotional learning to handle more effectively challenges in his/her academic, social, and communication realms.
- IEP Team should consider ways that age-appropriate instruction on bullying prevention and intervention, already incorporated into the school's general education curriculum, assist a student with a disability in these areas and should be reflected in the IEP. As noted earlier, the IEP should address those skills and proficiencies that the Team has determined the student would be unlikely to learn solely within the general curricular program, or any supports the student needs to make learning possible in the general education curricular program.
- IEP Team should consider whether modifications or services are needed for students with all types and severities of disabilities to be involved and progress in the school's or district's bullying prevention and intervention program that is incorporated into the school's or district's general education curriculum. In addition, Teams should ensure that students can participate fully in all procedures related to the reporting and investigation of bullying incidents. The district must ensure that the IEP Team includes a member of the school's staff who is knowledgeable about the school's bullying prevention and intervention general education curriculum when those issues are discussed at a Team meeting.
- Incorporated within the Team meeting process and the Team's discussion of a student's skills and proficiencies to respond to bullying, harassment, or teasing may also be education for families about the district's bullying prevention and intervention plan, the general education curriculum the school is using to instruct all students about bullying prevention and intervention, and the reporting mechanisms that are in place within the school.
- Each time the IEP Team convenes, the Team should consider whether the student has been involved in any bullying incident, and use that information to inform its discussion of the student's needs. Additionally, the district should convene the IEP Team, if the parent or any staff member believes that the student is at risk of being bullied or is exhibiting bullying behavior and such risk or behavior is directly tied to the student's disability. A statement documenting the Team's determination of whether or not the student's disability makes him or her vulnerable to bullying, harassment, or teasing must be stated within the additional information section of the IEP.

Disciplining Students with Disabilities

Procedures for suspension up to 10 days and after 10 days

Any eligible student may be suspended up to 10 days in any school year. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.

Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days

A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement. When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student's file.

When a suspension constitutes a change in placement of a student with disabilities,

A Manifestation/ Determination Team must convene within 10 days of the decision to suspend to review all relevant information in the student's file to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP. A student with disabilities may not be suspended for more than 10 school days in a school year without convening an MD Team. For the purpose of the MD process, the number of in school suspensions and out of school suspensions are combined for the total suspension days. If a parent chooses to dismiss their student from school, this is not considered a suspension in the MD process. If a parent/guardian is not given an option and is told the student must be dismissed from school due to a behavioral incident, this is considered a suspension for the purposes of the MD. The days that a student has been suspended in another district during the current school year prior to enrolling in the Cohasset School District also must be counted in the 10 cumulative days of suspension allowed for any school year.

Steps to Convening a Manifestation Determination Meeting

1. Principal/Team Chair: Not later than the date of the decision to take disciplinary action, the building administrator notifies the parents of that decision and provides them with the written notice of procedural safeguards along with the written notice of discipline.
2. Team Chair: The Team Chair notifies the Team of the need and time frame for scheduling a manifestation meeting. The building administrator should be involved in this notification as well.

Meeting Attendance should include:

- a. A building administrator
- b. A school psychologist and/or School Adjustment Counselor
- c. The parent/guardian
- d. A general education teacher
- e. A guidance counselor
- f. A special education teacher, typically the liaison
- g. The student if appropriate
- h. Any other relevant member

3. The Team Chair creates the invitation and attendance sheet and sends it home electronically and via US mail. The Team Chair coordinates the meeting invitation with all invited Team members. The building administrator is likely to request a specific date and time due in order to meet prior to the 10th day.
4. Preparation
 - a. The Team Chair prepares for the MD Team meeting by ensuring the administrator shares all the discipline information (including notices of suspension) with the necessary Team members for review.
 - b. The Team Chair chairs the MD Team meeting, completes the Manifestation Determination paperwork, MD checklist, N1 and other needed IEP documents.
 - c. Within 5 days of the meeting, the Team Chair completes the paperwork and checklist, and submits the MD folder to the Director of Student Services for review.
 - d. Principal/Admin: The designated administrator will review the MD folder to be sure the paperwork is complete and timely. The administrator will also ensure that copies of all pertinent suspension letters and hearing letters are included in the folder. The Team Chair will ensure the originals are submitted to the appropriate file (Cumulative and Special Education file as appropriate).

Manifestation Determination Discussion:

The Manifestation Determination checklist should be used to ensure the completion of all relevant paperwork. During the MD meeting, the team reviews all relevant information in the student's file, including the IEP, assessment reports, any teacher observations, and relevant information from parents. The team must then determine if there is a relationship between the student's disability and the student's behavior by addressing the following questions:

1. Does the conduct have a direct and substantial relationship to the disability?
2. Is it a direct result of the district's failure to implement the IEP?
3. Discuss the need to complete a Functional Behavioral Assessment (FBA) and develop a Behavior Intervention Plan (BIP) if one has not already been developed. If a BIP is already in place, the Team must review the BIP and identify interventions that will assist the student from continuing to engage in the same behaviors that led to the need for the Manifestation Determination.

The Team discussion should be documented on the MD Procedures Form.

Regardless of the outcome of the MD, the student may be unilaterally placed by the district in an Interim Alternative Educational Setting (IAES), determined by the Team, for up to 45 calendar days, in accordance with federal law, under the following circumstances*:

- The behavior involves weapons, illegal drugs or controlled substances, or the student has inflicted serious bodily injury on another person while at school or a school function. (37H) Serious bodily injury is defined as bodily injury, which involves substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or metal faculty.
- A hearing officer orders the IAES based on evidence from the district that the student is substantially likely to injure him/herself or others.

*In either case, the IAES enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.

A Functional Behavioral Assessment is required when a student is being unilaterally removed to a 45 day Interim Alternative Educational Setting (IAES) as determined under Federal regulations. The Director of Student Services must notify the parent the day the decision is made to place the student in an IAES.

If the parent chooses to appeal to the BSEA or the school district requests a hearing through the BSEA because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.

The behaviors is determined to be a manifestation of the disability

When the behavior is a manifestation of the student's disability, the student may not be suspended for more than 10 days. The Team must review and revise, if needed, both the IEP and BIP, if one is in place in order to address the behavior. If an FBA has not been conducted, and a BIP has not been developed, the Team must determine a plan for conducting a FBA and developing a BIP in collaboration with the district behavior specialist. If the MD Team determines the behavior is a result of the district's failure to implement the IEP, the Team must review and revise the IEP as needed and document the efforts to ensure adherence to the plan in the N1 letter sent home after the MD Team meeting. Except when he or she has been placed in an interim alternative educational setting (IAES) the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.

The behaviors is NOT determined to be a manifestation of the disability

When the behavior is not a manifestation of the disability, the suspension or expulsion may go forward consistent with policies applied to any student without disabilities. In this case, the Team must identify appropriate alternative education services during all periods of suspension beyond ten days. The identified services must provide the student with a free and appropriate education (FAPE) and enable the student to participate in the general education curriculum as well as make progress toward their IEP goals. The Team must determine these services and describe them on the appropriate MD Procedures and Next Steps Documentation Form. As appropriate, a functional behavioral assessment and behavioral intervention services and modifications should be offered in order to address the behavior so that it does not recur.

Documenting the Manifestation Determination Process

Immediately following the Manifestation Determination meeting, the Team Chair liaison should complete an N1 letter to the parents summarizing the outcome and recommendations from the meeting. If the Team determines a need to conduct any assessments, including an FBA, then an evaluation consent form should also be completed and sent home. If the Team determines the need to revise the IEP, a summary of the new proposals should be included in the N1 and 2 copies of the newly proposed IEP should be sent home for signature. The run dates of the IEP should remain the same as the active IEP. If any new services are added to the IEP, the start date of the new service should match the date of the MD Team meeting.

Within 5 days of the meeting, a copy of the Manifestation Determination Procedure Form, the meeting invitation, signed attendance sheet, N1, Notice of Procedural Safeguards, and if appropriate the revised

IEP and/or completed Evaluation Consent Form should be sent to the building administrator who will review it, sign off, and submit one copy of the paperwork packet to the special education department for review and processing within 2 days. The originals folder and paperwork should be placed in the student's official special education file.

Procedural requirements applied to students not yet determined to be eligible for special education

If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:

- a) The parent had expressed concern in writing; or
- b) The parent had requested an evaluation; or
- c) District staff had expressed directly to the Director of Student Services or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

If the district had no reason to consider the student a student with a disability, and the parent requests an evaluation subsequent to the disciplinary action, the district must conduct an expedited evaluation to determine eligibility.

Recording Suspension/ Discipline

Cohasset Public Schools uses the ASPEN/Follett Student Information System to document all student suspensions and disciplinary actions. These records are maintained by designated building-level staff, including principals and administrative assistants. The Office of Student Services is notified in writing of any suspensions or disciplinary actions involving students receiving special education services.

Special Education Team Chairs regularly monitor student behavior and disciplinary trends. They also meet monthly with building principals and the Director of Student Services to review records and ensure full compliance with all disciplinary procedures.

When known prior to the disciplinary action that a student may have a disability, Cohasset Public Schools will make all protections available to the student until and unless the student is subsequently determined to be not eligible for special education services.

CPS is considered to have prior knowledge if:

- A. The parent had expressed concern in writing; or
- B. The parent had requested an evaluation; or
- C. CPS staff had expressed directly to the Student Response Teams (SRT) or Director of Student Services about the pattern of behavior demonstrated by the student.

Cohasset Public Schools may not be considered to have prior knowledge if the parent has not consented to the evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

If an evaluation is requested after the disciplinary hearing, Cohasset Public Schools will work to expedite the evaluation. If the student is found eligible for an Individual Education Program, then they will receive all procedural protections subsequent to the finding of eligibility.

For additional information on the details of these regulations, you may contact Michael Stapleton, Director of Student Services at mstapleton@cohassetk12.org

IEP Amendments

The IEP can be amended at any time if the student's profile and/or goals need to be altered to reflect current levels of performance. This remains the case if new assessment information is obtained; however, **this cannot be a substantial change to a student's services and/or placement. An IEP Amendment can not be done to reduce services.**

IEP Amendments are done when:

- Reviewing/ updating progress toward goals
- Increasing services (e.g. data collected determines student requires ESY)
- Adjusting accommodations

Annually, the IEP must be reviewed and updated to reflect the growth the student has made, and new goals need to be developed. Input from general educators, special educators, parents and related service providers need to be included. Input from the student is required if the student is 14 years or older.

Response to Rejected IEP and/ or Placement:

Within **five school days** of receipt of rejection, the school District shall send written notice to the BSEA. The Team Chair will immediately call parents/guardians to resolve the portions that are rejected. The Team will conduct a reconvene meeting to resolve issues within **10 school days** when necessary.

If a response to the IEP or Placement is not received within 30 calendar days, the district has the right to assume the IEP has been rejected and send written notice of the rejection to the BSEA.

In the event a parent rejects all or part of an IEP:

Process:

- All accepted portions should be implemented immediately;
- IEP and accompanying notes should be reviewed with Office of Student Services for action;
- Copies must be sent to Team Chairs and the Director of Student Services
- Partially rejected IEPS or rejected IEPS will be sent to the BSEA for referral for mediation.

IEP Progress Reports

Progress Reports are required to be sent to parents/guardians at least as often as parents/guardians are informed of their general education children's progress. Each progress report must describe the student's progress toward meeting each annual goal. 603 CMR 28.00 section 3 states, "Written progress reports for eligible students shall be submitted to parents/guardians at least as often as report cards or progress reports for students without disabilities."

Progress reports will be sent home at the same time as report cards are distributed:

School	Progress Report Frequency
PreSchool	2 times per year
Joseph Osgood School	3 times per year
Deer Hill School	3 times per year
Cohasset Middle School	3 times per year
Cohasset High School	4 times per year

Special Education Liaisons are responsible for collecting and submitting ALL progress reports pertaining to students goals on time to the Team Chair on the dates specific to each school.

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?

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

1. Specify what the student has been working on.
2. List what the student has achieved.
3. Indicate any stumbling blocks to progress.
4. Project whether the student will reach the annual goal if progress continues at its current pace."
(MA DESE 2001, p. 20)

Students who attend private schools or who are homeschooled still need to receive regular progress reports based on the reporting cycle of their neighborhood school. The service provider may use the statement below or something similar to document the reporting period.

"The student is not currently accessing the service related to this goal, per parent choice. Due to this progress can not be monitored. Parent/Guardians are encouraged to communicate any concerns to the service provider at any time."

Progress reports should be based on data collected and analyzed throughout the term which identifies the progress made on IEP goals and benchmarks. Service providers should not wait for term grades to be posted to complete progress reports.

Summary of Performance

When a student graduates from high school with a regular diploma or "ages out" of special education, the IDEA 2004 requires the school to provide a summary of academic achievement and functional performance. The Summary of Performance should include recommendations about ways to help meet post-secondary goals and be closely aligned with the student's individual Transition Plan.

Procedures relating to Terminating Special Education Services

Finding of No Eligibility

- Decision is made at a Re-Evaluation meeting
- The Team completes the eligibility flowchart
- The team determines if a 504 Plan is necessary
- N2 (Finding of No eligibility) is completed by the Team Chair
- The Team specifies the end date of services based upon the results of the re-evaluation
- Parent can appeal to DESE Bureau of Special Education Appeals

Parent requests termination of services:

- Receive Written Request
 - The parent/guardian submits a written request to terminate special education services for their child.
- Confirm Intent
 - The Director of Student Services contacts the parent to confirm their intent and explain the implications of terminating services, including the loss of protections under IDEA.
- Provide Written Notice (PRIOR WRITTEN NOTICE)- The district provides the parent with Prior Written Notice (N1) or Revocation of Consent Form documenting:
 - The parent's request
 - The district's response
 - A summary of the information shared with the parent
 - The date services will be discontinued.
- Terminate Services
 - Upon completion of the Prior Written Notice (N1) or Revocation of Consent Form the district discontinues special education services as requested. The student returns to general education status.
- Document the Change
 - Update the student's records to reflect the termination.
 - Maintain documentation of the parent's request and the district's response.
- Inform Relevant Staff/ Future Consideration
 - Notify appropriate school personnel (e.g., teachers, service providers) of the change in the student's status.
 - Inform the parent that they may request an evaluation in the future if they suspect the child may once again require special education services.

Revocation of Consent Form: [Cohasset Revocation of Consent Form](#)

Localizing an IEP

Students moving into CPS with IEPs from other districts or states should have a localization meeting within 30 school days of their move in date. During the first thirty (30) days, the district will follow the sending IEP to the extent possible. The localization meeting should be held as the annual IEP meeting. The next annual IEP date should be set a year from the localization annual meeting.

Process:

1. Input IEP into ASPEN and Implement IEP
2. If student is from out of state, the Team Chair will begin Initial Evaluation process
3. Have Localization Meeting within thirty days
 - Meeting Type: Localization IEP Meeting
 - Follow the workflow to define team and schedule meeting
 - Start date should be the date of the meeting, the end date stays the same as the Active IEP with which the student came into the district
 - Complete workflow

Transition Aged Youth; Transition from School to Adult Life

Realizing successful post-secondary outcomes is a goal we have for all students. Depending on the disability and the support services required in adult life, successful transition from high school to adult life may require that planning activities begin in elementary school with students exploring their interest in middle school. Starting the process early prepares students with disabilities to think about what they want to be able to do in adult life. High school transition prepares students with disabilities to think about what they want to be able to do in adult life. High school transition planning includes exploring post-secondary opportunities and employment options and may include connecting with the adult service agencies that may provide the student with services when he or she graduates or turns 22 years of age.

Transition elements are incorporated throughout the IEP for a more integrated approach to transition planning. Transition planning is required under Federal Law and becomes a major Team focus when a student reaches 14 years of age.

The vision statement, included as part of the IEP, aids Team Members in determining the student's transition needs that may be reflected in the IEP. Transition goals and transition services should be recorded in the plan. As a student approaches graduation, the Team must also consider the student's graduation status, the need for a Chapter 688 referral and the involvement of adult services agencies. As the student nears or reaches the age of seventeen, the Team must discuss the transfer of rights at age of majority. (See Administrative Advisory 20221-1 and NA forms). These last items would be documented under Additional Information on the IEP. In the event a student does not attend the Team meeting prior to the student's seventeenth birthday, written notification will be sent to both the parent(s) and student explaining the transfer of rights options at age 18. Transition Plans must be discussed and documented when the child is 14 years old. If the child requires services or courses necessary to reach the goals, the IEP must have measurable post secondary goals related to training, education, employment and as necessary, independent living. A Statement of Needed Transition Services must be completed no later than the first IEP developed when the eligible student is 14 or will turn 14 during the IEP period.

Recognizing the need for students with disabilities to engage in effective transition planning, the Individuals with Disabilities Education Act (IDEA) requires that transition planning be part of the Individualized Education Program (IEP). Beginning no later than the first IEP developed when the eligible student is 14, the Team considers the student's need for transition services and documents this discussion. If appropriate, the IEP includes a statement of needed transition services. The school district understands that it must maintain documentation of a full discussion of the student's transition needs, whether or not such discussion identifies needed transition services for the IEP. Such documentation must be reviewed and updated annually thereafter. Students must be invited to all educational meetings and allowed to participate actively when transition planning is discussed.

Students Graduating or Turning 22/Summary of Performance

IDEA 2004 requires that a school district must provide a *Summary of Student Performance* when his/her special education eligibility ends, either due to graduation or turning twenty-two (22), exceeding the age of eligibility requirements. This summary needs to state the student's academic achievement and functional performance. It must also include recommendations on how to assist the student in meeting his/her desired post-secondary goals.

In order to complete this form, the student's liaison and guidance counselor shall work collaboratively to produce the required information. A copy of the student's transcript shall be attached to the completed *Summary of Student Performance*. The Team Chair will be responsible for adding the completed *Summary of Student Performance*, along with the student's transcript to the special education folder, one week prior to graduation or aging out.

Adult Services-Make Chapter 688 Referrals and General Referrals

For students with severe disabilities, a Chapter 688 referral should be made to ensure that students who will require ongoing support and services from one or more public agencies are part of the eligibility process for receiving services and support as adults. For other students who require fewer supports and services and may not meet the eligibility requirements for Chapter 688, a general referral for services can be made to adult service agencies.

Chapter 688 Referral-Why do it?

Filing a Chapter 688 referral creates a documented need for services and support for adults with severe disabilities. The primary goal of filing a Chapter 688 referral is to plan for needed adult services for students. In those cases where a student is determined to be eligible and services are not provided due to a lack of funding or program availability, agency personnel can advocate to increase funds in the budget planning process for the next fiscal year in order to provide the needed services.

688 Referral Process- one referral per student

In Massachusetts, students with severe disabilities access adult service agencies through the Chapter 688 referral process. Chapter 688 provides a two-year coordinated planning process for students whose entitlements to special education services will end when they graduate from school or turn 22 years of age. Contact will be made with each agency to find out the eligibility processes specific to each agency as well as the services that are available to adults with disabilities in order to determine the appropriate agency that should receive the Chapter 688 referral for each student.

Eligibility-student in need of continued services as adults

Students who receive services in accordance with an IEP and receive SSI/SSDI and/or are on the registry at the Massachusetts Commission for the Blind (MCB) are automatically eligible for Chapter 688. Others students who may be eligible are those students with severe disabilities who are in need of continued services and are unable to work 20 or more hours per week in competitive, non-sheltered, non-support employment at the time they are ready to leave school. Also, students who receive services from the Department of Youth Services (DYS) or the Department of Children and Youth Family Services (DCYF) are on an IEP or a 504 Plan may be eligible.

Refer 2 Years before Student Graduates or Turns 22-filing late jeopardizes service availability. Only school systems can refer students that they believe may be eligible for adult services through Chapter 688. A referral must be made at least allows enough time to determine eligibility for adult services and for an agency(ies) to include the anticipated cost of services for the student in the budget request, which is submitted to the Massachusetts Legislature each year.

Chapter 688 referrals and supporting documentation are sent direction to the appropriate lead agency and a copy of the 688 referral form is sent to the Bureau of Transitional Planning (BTP). Referrals can be made to the Department of Developmental Services (DDS), the Department of Mental Health

(DMH), the Massachusetts Rehabilitation Commission (MRC), the Massachusetts Commission for the Blind (MCB) or the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH).

Individual Transition Plan-*a planning document outlining needed adult services*

Special education services provided while a student is in school are entitlements mandated by federal and state law. Chapter 688 is not a continuation of special education services and is not an entitlement to services. If a student meets the Chapter 688 eligibility requirements, an Individualized Transition Plan (ITP) is required and written for each student. The ITP is developed in conjunction with school personnel, parents/guardians, students and the appropriate agencies. The delivery of services identified on the ITP is linked to program availability that is dependent on funds allocated in the annual state budget.

Age of Majority- Transfer of Parental Rights to student at age 18

In Massachusetts, regardless of the severity of their disability, students are considered adults and competent to make their own decisions at age 18 (Age of Majority). Unless there is a court appointed guardian or the student has chosen to share decision making with his or her parent/guardian, the school district must seek the consent of the student to continue the special education program. Students at age 18 have the right to make their own educational and medical decisions and must sign all consent forms. Parents and students must be notified about the transfer of parental rights to the student at least 1 year before the student turns 18 years of age.

An IEP developed for the 17 year old student must include "a statement that the child has been informed of the child's rights under Part B of the Act that will transfer to the child on reaching the age of majority. See 34 CFR 300.320(c). School districts are not required to provide detail on the transfer of rights, but must state that the student has been informed that the right to make decisions about his or her special education will transfer to the student when he or she turns 18.

On or immediately following the students 18th birthday Cohasset High School liaison will present the student with the Notice of Transfer of Parental Rights document, along with procedural safeguards.

Copies of signed documents will be given to both student and parent (mail if necessary) for all student and original copies sent placed in the Correspondence section of the Special education folder.

Interagency Collaboration-Develops supports and services necessary for adult life

The adult service system is complex and understanding it is essential for effective transition planning. When a student with disabilities graduate from school or turn 22 years of age, they move from an entitlement to a non-entitlement system. While in school students receive services and support mandated by federal and state law. As adults, while they may be eligible for services from adult service agencies, these services are not an entitlement, which means they are not guaranteed. Consequently, it is essential that educators, parents and students understand the adult service system years before adult services need to be accessed. It is a sound practice to invite adult service agencies to speak to groups of students and individuals who live with and work with students with disabilities in order to understand the eligibility process specific to each agency as well as the services that are available to adults with disabilities.

Observations of Special Education Programs

The legislature recently amended Section 3 of G.L.c. 71B, the state special education law, to require school committees upon request by a parent, to grant timely and sufficient access by parents and parent-designee, independent evaluations, and educational consultants to a child's current and proposed special education programs so that the parent and named designees can observe the child's current program and any proposed program. The law, referred to in the advisory as "The Observation Law" limits the restrictions or conditions that schools may impose on these observations. The purpose of the law is to ensure that parents can participate fully and effectively in determining the child's appropriate educational program. The Observation Law, which went into effect on January 8, 2009, can be found at https://www.doe.mass.edu/sped/advisories/09_2.html. In order to fully comply with The Observation Law, parents and parent designee, independent evaluators and educational consultants are asked to work closely with building administration in regards to each of the specific areas outlined in The Observation Law. They are detailed as follows;

Receiving and Responding to Observation Requests

Parents are requested to put their request to observe in writing to the building principal. If the request is from a parent designee and the school has no prior knowledge of the designee, it is reasonable for the school to confirm with the parent that the designee is acting on his or her behalf. If the designee will review the student's records, as is often the case, the school must obtain written permission from the parent for the record review consistent with Section 23.07(4) of the Student Records.

Timely Access

The obligation to provide "timely access" to the program for purposes of observation is a core component of The Observation Law. Different observation requests may require more planning and observation time than others depending on the complexity of the student needs being evaluated, the program(s) to be observed, the program schedule, and the schedule of the parent or designee. It is also important to note that the timely access requirement does not mean that a school district must allow observations on demand, or that parents or designees may unilaterally set a schedule for observations. School administrators may take a reasonable period of time to inform school staff and plan the logistical aspects of an observation.

Sufficient Duration and Extent

The Observation Law requires that school districts permit access to programs that are of "sufficient duration and extent" to accomplish the purpose of the visit. District policies and practices specify that the duration and extent of observations will be determined in consultations with building administration on an individual basis. The complexity of the child's needs as well as the program or programs to be observed, should determine what the observation will entail and the amount of time required.

Condition or Restrictions on Observations

The Observation Law states that districts may not condition or restrict program observations except when necessary to protect:

- The safety of the children in the program during the observation;
- The integrity of the program during the observation;
- Children in the program from disclosure by an observer of confidential or personally identifiable information he or she may obtain while observing the program;
- Building administrators will discuss the need for these conditions or restrictions on an individual basis with the program observer in planning the school visit.

Independent Educational Evaluation (IEE)

Upon receipt of evaluation results, if a parent disagrees with an initial evaluation or reevaluation completed by the school district, then the parent may request an independent educational evaluation. All requests for independent educational evaluations should immediately be sent to the Director of Student Services

- A. All independent educational evaluations shall be conducted by qualified persons who are registered, certified, licensed or otherwise approved and who are abide by the rates set by the state agency response setting such rates. Unique circumstances of the student may justify an individualized assessment rate that is higher than that normally allowed.
- B. The parent may obtain an independent educational evaluation at private expense at any time.
- C. Public funding of independent educational evaluations-When the parent requests public funding for an independent educational evaluation, the district shall abide by the following provisions for a sliding fee scale:
 1. If the student is eligible for free or reduced cost lunch or is in the custody of a state agency with an Educational Surrogate Parent appointed in accordance with federal law, then the school district shall provide, at full public expense, an Independent educational evaluation that is equivalent to the types of assessments done by the school district. No additional documentation of family financial status is required from the parent.
 2. If the family financial status is not known, the district shall offer the parent information about the sliding fee scale and the opportunity to provide family income information to determine if the family may be eligible for public funding of all or part of the costs of an independent educational evaluation. Provision of financial information by the family is completely voluntary on the part of the family. THe lack of financial information provided by the family will disqualify the family from such additional public funding of all or part of the costs of an independent educational evaluation under 602 CMR 38.04(5)(d).
 3. If the family agrees to provide financial information, such information shall include anticipated annual income of the family, including all sources of income and verifying documents. Financial information shall be reviewed by the district, shall be kept confidential during review by the district, shall not be copied or maintained in any form at the district except to note that information was provided and reviewed and met or did not meet sliding all standards. Financial documents shall be promptly returned to the parent upon the district's determination of financial income status.
 4. The district shall consider family size and family income information in relation to Federal Poverty guidelines and shall contribute public funds to the costs of the independent educational evaluation according to the following standards:
 - a. If the family income is equal to or less than 400% of the federal poverty guidelines, the district shall pay 100% of the costs of an independent educational evaluation.
 - b. If the family income is between 400% and 500% of the deferral poverty guidelines, the district shall pay 75% of the costs of the independent educational evaluation.

- c. If the family income is between 500% and 600% of the deferral poverty guidelines, the district shall pay 50% of the costs of an independent educational evaluation.
 - d. If the family income is over 600% of the federal poverty guidelines, the district shall have no obligation to cost-share with the parent.
5. When the parent seeks and receives public funding for an independent educational evaluation under these provisions, the parent may request independent assessments in one, more than one, or all of the areas assessed by the school district.
6. The right to this publicly funded independent educational evaluation under 603 CMR 28.04(5)(c) continues for 16 months from the date of the evaluation with which the parent disagrees.
 - a. If the parent is requesting an independent educational evaluation in an area not assessed by the school district, the student does not meet income eligibility standards, or the family chooses not to provide financial documents to the district establishing family income level, the school district shall respond in accordance with the requirements of federal law. Within five school days, the district shall either agree to pay for the independent educational evaluation or process to the Bureau of Special Education Appeals to show that its evaluation was comprehensive and appropriate. If the Bureau of Special Education Appeals finds that the school district's evaluation was comprehensive and appropriate, then the school district shall not be obligated to pay for the independent educational evaluation requested by the parent.
 - b. Whenever possible, the independent educational evaluation shall be completed and a written report sent no later than 30 days after the date the parent requests the independent educational evaluation. If publicly funded, the report shall be sent to the parents and to the school district. The independent evaluator shall be requested to provide a report that summarizes, in writing, procedures, assessments, results, and diagnostic impressions as well as educationally relevant recommendations for meeting identified needs or the student. The independent evaluator may recommend appropriate types of placements but shall not recommend specific classrooms or schools.
 - c. Within ten school days from the time the school district receives the report of the independent educational evaluation, the Team shall reconvene and consider the independent educational evaluation and whether a new or amended IEP is appropriate.

Procedures for Least Restrictive Program Selected

Pursuant to federal and state regulations, the Cohasset Public Schools endures that to the maximum extent appropriate, children with disabilities are educated with children who do not have disabilities, and that special classes, separate schooling or other removal of children with special needs from the general education program occurs only if the nature of severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Multi-Tiered System of Support (MTSS) Teams meet regularly at all levels, to proactively identify students who may require assistance prior to a referral for special education services. The Teams utilize a data driven, problem-solving approach to help students be more successful in school, at home and in the community.

When students are determined eligible for special education services, placement decisions are made by the Team and indicate the type of setting in which services will be provided. The Team first considered district options such as a general education classroom, resource setting, inclusion setting, separate classroom, and/or another type of setting identified by the Team as appropriate and as able to provide the services on the IEP in the least restrictive environment. Cohasset Public Schools has developed an extensive continuum of specialized programming designed to address a variety of disability areas. If an in-district setting can deliver the services on the IEP, the Team identifies such placement setting and include that determination with the proposed IEP.

The Director of Student Services, and/or their designee works closely with the building principals at all levels to place special needs students. This ensures that classes which are designated as co-taught inclusion classes are made up of a proportionate number of special needs and regular education students. In all cases, the IEP Team addresses the Non-Participation Justification section of the IEP (page 6). Students progress toward goals on the IEP is assessed at the same interval as report cards at minimum and documented in Progress Reports shared with parents. Based on student progress and readiness, the Team considers the least restrictive programming option on a regular basis and formally at the annual Review and Re-Evaluation meetings.

For those students that require teaching at home or in the hospital, the parent/guardian will be provided with a Physician's Statement for Temporary Home or Hospital Education form (603 CMR 28.03(3)(c) to be completed and signed by the student's physician. The person signing this form must be a medical doctor or nurse practitioner for the student, not a psychologist. Once this has been returned to the Student Services Office and approved by the Director of Student Services, the building has been returned to the Student Services Office and approved by the Director of Student Services, the building Principal or Guidance Counselor will initiate contact with a home tutor to plan services or contract with a hospital-assigned tutor and inform the Director of Student Services whom the tutor will be. There is no waiting period (required absence days) for services to begin. The Principal or Guidance Counselor will communicate with each of the student's classroom teachers and assist the tutor in obtaining materials, transferring grades, etc. and to change attendance status. The completed Physician Statement will remain on file in the Student Services Office. The Cohasset Public Schools follow the guidance of the Massachusetts Department of Education Special Education Administrative advisory" Administrative Advisory SPED 2003-1.

The Team identifies out-of-district placements for a student only when the nature of severity of the student's disability is such that education in a less restrictive environment which the use of supplementary aids and services will not provide the students with an education that meets state and federal requirements. When considering out-of-district placements for a student, the Team considers those placements which will provide services that meet the educational needs of the students within the continuum of out-of-district program options from least restrictive to more restrictive (e.g. substantially separate collaborative program before a public or private day program or residential setting). Cohasset Public Schools Director/Team Chair conducts regular progress meetings on students placed in out-of-district placements. The Director/Team Chair actively monitors student progress and documents these monitoring activities in an annual monitoring report.

When placement in a day or residential special education setting occurs, the Team considers factors that may be appropriate to promote transition to a less restrictive program.

- When developing an IEP that will result in the student's initial placement out-of-district, or convening for an annual review of the program of any students who has been placed out-of-district, the Team shall actively consider if any special education services or support for the student personnel are necessary to help the student transition to a less restrictive program.
- If the Team concludes that certain services are necessary to promote the student's transition, the Team shall include a goal statement on IEP 4 related to preparation for the transition to a less restrictive program and identify all necessary services on IEP 5 of the service grid of the IEP.

The Cohasset Public Schools is committed to establishing less restrictive special education programming options in an effort to both return students to the District from out-of-district placements as well as to continue to program for these students currently receiving specialized in-district programming.

Out of District Placement Procedure

1. The Team Chair contacts the Director of Student Services as soon as the Team begins to consider an out-of-district placement for a student.
2. A Team Meeting is held (The Director of Student Services may be invited on a case by case basis). No conversation of out-of-district placements is held until the Team first develops (or has) an IEP that contains the student's current needs, goals/objectives, services, etc. , regardless of where the educational placement may eventually be. The goals and objectives drive all placement proposals.
3. After an IEP is agreed upon by all Team members, the Team discusses where services, student needs, goals, etc., that are identified in the proposed IEP can be met.
4. The Director of Student Services becomes formally involved with the Team once the Team determines that the student's needs cannot be met in-district (least restrictive environment).
5. Out-of-District placements are considered using state and federal FAPE and least restrictive criteria:
 - a. In order to meet the student's individual needs, a collaborative setting is considered first
 - b. Next, a 766 approved public day program within commuting distance is considered.
 - c. Then, a 766 approved private day program within the commuting distance is considered.
 - d. Lastly, when a student has needs that are significant and can only be met in 766 approved residential settings, then the most restrictive setting is considered.

Unapproved programs or programs outside of the state residence are only considered when all approved programs have been exhausted.

6. The Team will discuss placement using the student's identified and agreed upon IEP needs as criteria. If there is agreement on the type of educational setting where the student's needs can be met, then

The Director of Student Services will discuss sending out packets to identified programs that may be a fit according to the services identified in the IEP. Parents/Guardian and/or students (if 18 or older) will be asked to sign a "release of information" so packets can be sent to the identified educational programs.

7. After the agreed-upon IEP is signed (that identifies the student's current needs and services) and after the "release of information" form is signed by the parent/guardian, then the Director of Student Services will send out packets to the agreed upon out-of-district placement.
8. Packets are individualized to give the receiving school relevant information so that they can make an informed decision as to whether the student is a good fit. Packets may include some of the following documentation:
 - a. A letter from the Director of Student Services indicating the need for the placements, the date for the placement, a summary of Team discussion, a brief student profile, contact names and number, etc.
 - b. Student's currently signed IEP that states Team's consensus of what student needs in order to succeed
 - c. Current evaluations and standardized test scores
 - d. Current Progress Reports

- e. Current doctor and health information
 - f. Discipline records
 - g. Current FBA, BIP, Teacher/Counselor observations
 - h. Transcript and attendance records
 - i. Records showing interested or extracurricular activities
9. The Out-of-District program(s) will contact the Director of Student Services to indicate whether the student is appropriate for their program. The Director of Student Services will inform the parents of the out-of-district school's decision. Each out-of-district school has its own admission procedure and timelines. Team members must understand that the Cohasset Public School District cannot hurry, adjust or manage private placement timelines or decision-making. Out-of-District placements have the right to accept or reject applicants.
10. If the school feels that they can meet the needs of the student, the Director of Student Services will make appointments with the parent/guardian and student to visit the program and begin the application process. The Director of Student Services always accompanies the parent/guardian on program visits and may in fact visit a program prior to recommending it to the parent/guardian in order to ensure its appropriateness. Each school has a different application procedure. Some schools: test students; have student visits without parent/guardian for a few days; meet separately with parent/guardian and student; come to the public school to observe students; call current teachers for more information, etc.
11. Once a placement is decided upon, the receiving school and the Director of Student Services and parent/guardian reconvene a Team meeting. This is coordinated by the Office of Student Services.
- At this meeting, any additional information is exchanged. A starting date, transportation arrangements, and any amendments to the current IEP and parent/guardian IEP signature agreeing with placement are discussed. Parent/Guardian and student concerns are addressed.
12. The Director of Student Services generally becomes the student's liaison. The Director of Student Services attends Team meetings, monitors the student's placement, holds progress meetings as needed, addresses parent/guardian and students concerns and communicates relevant information to Cohasset Public Schools. Typically IEPs are amended or rewritten after size to eight weeks once the student enters the out-of-district placement.
13. As students demonstrate readiness, the Director of Student Services coordinates reentry planning, timelines, criteria, and Team meetings at Cohasset Public Schools in conjunction with the Team Chair.

Procedure for Approved and Unapproved Out-of-District Placements

The Cohasset Public Schools follow the guidance of the Massachusetts Department of Education Special Education Administrative Advisories: (1) Administrative Advisory SPED 2002-5: Special Education Contracts between School Districts and Out-of-District Placements; (2) Administrative Advisory SPED 2004-4: School District Responsibility for Children in Special Education Day Schools Who are Transferred to a Residential School by the Department of Social Services.

- **Individual student program oversight:** The Cohasset Public Schools monitor the provision of services to and the programs of individual students placed in public and private out-of-district programs. Documentation of monitoring plans and all actual monitoring are placed in the files of every eligible student who has been placed out-of-district. To the extent that this monitoring requires site visits, such site visits are documented and placed in the student's files for review. The duty to monitor out-of-district placements is not delegated to parents or their agents, to the Department of Elementary and Secondary Education, or to the out-of-district placement.
- **Student right to full procedural protections:** The Cohasset Public Schools retain full responsibility for ensuring that the student is receiving all special education and related services in the student's IEP, as well as all procedural protections of law and regulation. Any Team meetings conducted during the time that a student is enrolled in the out-of-district program are initiated by the District in coordination with the out-of-district placement.
- **Preference to approved programs:** The Cohasset Public Schools, in all circumstances, first seeks to place a student in a program approved by the Department pursuant to the requirements of 603 CMR 28.09. Preference is also given to approved programs located within the Commonwealth of Massachusetts if the choice of such program is consistent with the needs of the student and the choice of such program complies with I-RE requirements. When an approved program is available to provide the services on the IEP, the District makes such placements in the approved program in preference to any program not approved by the Department.
- **Written contracts:** The Cohasset Public Schools enter into written contracts with all public and private out-of-district placements. At a minimum, such contracts meet the content requirements of 29.06(3)(f)(1-5).
- **Use of unapproved programs:** In the event that Cohasset Public Schools place a student in a program that has not been approved by the Department according to the requirements under 603 CMR 28.09, it ensures that such program and services are provided in appropriate settings by appropriately credentialed staff able to deliver the services on the student's IEP. Students placed by the Cohasset Public Schools in such programs are entitled to the full protections of state and federal special education law and regulation.
- **Placement documentation:** The following documentation is maintained by the Cohasset Public Schools pursuant to its placement of children in unapproved out-of-district programs:
 1. **Search:** The Director of Student Services documents the search for an unavailability of a program approved by the Department. The Administrator places such documentation in the student record.
 2. **Evaluation of facility:** The Director of Student Services or his/her designee thoroughly evaluates the appropriateness of any unapproved facility prior to placement of the student in such programs. Such evaluation determines whether the unapproved facility can appropriately implement the student's IEP in a safe and educationally appropriate environment. Such evaluation additionally

determines whether the unapproved facility can and will provide the student with all the rights that accorded to the student under state and federal special education law. Such evaluation is documented in detail and placed in the student record for review.

To the extent that this evaluation requires a site visit, such site visits are documented and placed in the student record for review. The duty to evaluate the appropriateness of any unapproved facility is not delegated to the parents or their agents or the proposed unapproved facility.

3. School district approval to operate a private school in Massachusetts: If services in an unapproved program are provided in a school setting, the Director of Student Services ensures that such school has received approval from the local school committee under M.G.L.c. 76, SI and a copy of such approval is retained in the student record.
4. Pricing: Pursuant to the requirements for Compliance, Reporting, and Auditing for Human and Social Services at 808 CMR 1.00, the Administrator obtains pricing forms required to set program prices for programs receiving publicly funded students. Such pricing forms are completed by the proposed placement and document that the price proposed for the student's tuition is the lowest price charged for similar services to any student in that program.
5. Notification to the Department of Education: Prior to placement, if the Team determines that placement in such a facility is appropriate, the Administrator notifies the Department of the intent to place the student and the name and location of the proposed placement. "Notification of Intent to Seek Approval for Individual Student Program" 603 CMR 28.06 (3)(a)(4) Mandated Forms 28M/3-Revised 11/21/08). In addition, the Administrator forwards the notice of proposed placement and completed pricing forms to the Department along with the information on the proposed terms of the contract that will govern such placement and documentation of a monitoring plan pursuant to 603CMR 28.06(3)(b). The Cohasset Public Schools maintains any documentation of the Department's objections to such placement and the steps the Cohasset Public Schools has taken in regard to such objection. The Cohasset Public Schools maintain documentation of the approved price for publicly funded students as set by the state agency responsible for setting program prices.
6. Out of state programs: If out-of-district programs are provided in a placement outside of Massachusetts, and such school has not received approval by the Department under 603 CMR 29.09, the Administrator of Special Educational ensures that such school has received approval from the host state.

Out of District Placements and Monitoring

When an IEP Team determines that an out of district placement is necessary, the Team shall state the basis for its conclusion that education of the student in a less restrictive environment with the use of supplementary aids and services could not be achieved satisfactorily.

The Department of Education “shall determine that programs approved under 603 CMR 28.09 have appropriate policies, procedures, and appropriately credentialed staff as may be necessary to provide special education services to publicly funded students.” 603 CMR 28.06

Students in out-of-district placements shall be entitled to the full protections of state and federal special education law and regulation. Out-of-district options include, but are not limited to, special education schools approved under 603 CMR 28.09.

Individual student program oversight:

The district is required to monitor the provision of services to and the programs of individual students placed out-of-district. The Director of Student Services will maintain the monitoring documentation including the monitoring plans and site visit plans. This documentation shall 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.

As of September 2, 2025, the Cohasset Public Schools is using the DESE Out of District Monitoring Form for all students placed out of District. Information on Out of District Monitoring Can be found at the link below:

<https://www.doe.mass.edu/specialeducation/policy/dese/advisories/memo-sy2025-2026-3.html>

Implementation of Educational Services for Hospitalized Students

Action steps;

1. The Physician's Statement for Temporary Home or Hospital Education (DESE form 28R/3) received by district which must include the following information:
 - a. Date the student was seen by the physician;
 - b. Medical Reason(s) indicating why the student is unable to attend school and any restrictions for providing educational services;
 - c. Expected duration of hospitalizations;
 - d. Please note the Physician's Statement must be completed by a Physician and not his/her designee;
 - e. Upon receipt, the Physician's Statement should be faxed to the Office of Student Services;
 - f. If the Physician's Statement comes directly to the Office of Student Services, it will be sent to the Guidance Counselor. If a child is on IEP it will also be sent to the Team Chair.
2. The Guidance Counselor or Elementary Principal contacts parent to inform them that we have received a Physician's Statement for Temporary Home or Hospital Education (DESE form 28R/3) indication their child has been hospitalized due to illness:
 - a. Parent should be asked if there is an expected discharge date and if they are willing to sign released for school personnel to speak with physicians, social workers and/or counselors that may be working with their child;
 - b. The Guidance Counselor for Elementary Principal may inform the parent that if desired, they can come to the school to pick up work for their child prior to tutoring services being approved.
3. The Director of Student Services will notify the agency affiliated with the hospital in writing when tutoring services will be approved:
 - a. The 14 days may be consecutive or cumulative days throughout the year for the same illness;
 - b. Once the contract is signed, it will be sent to the guidance counselor or elementary principal who will work directly with the hospital tutoring agency to provide work.
4. The Guidance Counselor or Elementary Principal must monitor attendance and notify the Special Education office if the student is expected to be out of school for 14 days or more. Information provided to the Special Education office should be timely and include:
 - a. When was the last contact with my parents?
 - b. Is the student hospitalized or in a step down day program?
 - c. What is the expected discharge date?
 - d. Is there an expected return date to school?
 - e. Have you provided work to the student while hospitalized?
 - f. If yes, how is the student receiving this work?
 - g. Has the work been returned to the school?

Please Note:

If the duration of the expected confinement extends beyond 30 days, the parent/guardian is required to provide an updated Physician's Statement for Temporary Home or Hospital Education (DESE form 28R/3).

If the duration of the confinement extends beyond 60 days, the team including the parent shall determine if a special education evaluation of the student would be beneficial in meeting the student's needs.

Implementation of Educational Services for Students at Home:

Action Steps:

1. Received by district which must include the following information:
 - a. Date the student was seen by the physician;
 - b. Medical Reason(s) indicating why the student is unable to attend school and any restrictions for providing educational services;
 - c. Expected duration of hospitalizations;
 - d. Please note the Physician's Statement must be completed by a Physician and not his/her designee;
 - e. Upon receipt, the Physician's Statement should be faxed to the Special Education

2. The Guidance Counselor or Elementary Principal contacts parent to inform them that we have received a Physician's Statement for Temporary Home or Hospital Education (DESE form 28R/3) indication their child has been hospitalized due to illness:
 - a. Parent should be asked if there is an expected discharge date and if they are willing to sign released for school personnel to speak with physicians, social workers and/or counselors that may be working with their child;
 - b. The Guidance Counselor for Elementary Principal may inform the parent that if desired, they can come to the school to pick up work for their child prior to tutoring services being approved on day 14.

3. The Director of Student Services will send a letter to parents notifying them that tutoring services will be approved on day 14 should the physician indicate the student is still not able to return to school:
 - a. The 14 days may be consecutive or cumulative days throughout the year for the same illness;
 - b. For a student who is on an IEP, the Guidance Counselor or Elementary Principal should consult with the Team Chair to determine if district approval should be given prior to 14 days.

4. The guidance counselor or elementary principal must monitor attendance and notify the Office of Student Services if the student is expected to be out of school for 14 days or more. Information provided to the Office of Student Services should be timely and include:
 - a. When was the last contact with my parents?
 - b. What is the expected return to school date?
 - c. Have you provided work to the student while home?
 - d. If yes, how is the student receiving this work?
 - e. Has the work been returned to the school?

It is highly recommended that prior to day 14 the Guidance Counselor or Principal secures a tutor(s) and establishes a plan for providing tutoring services. Guidelines for tutoring services provided to students who are not hospitalized include the following:

- Tutoring services should be individualized to meet student needs'

- Names of potential tutors can be found on the district substitute/tutor list. Additionally, the Office of Student Services may be able to provide guidance as needed;
- Unless the physician specifically indicates the student is unable to leave the home, tutoring should take place in a public location. Examples of where tutoring could take place are Cohasset Public Schools or Cohasset Public Library.
- In the event that the physician indicates that the student is unable to leave home, a parent must be present for the entire session;
- Invoices will not be paid until all work is received back to the school

Please Note:

If the duration of the expected confinement extends beyond 30 days, the parent is required to provide an updated Physician Statement for Temporary Home or Hospital Education (DESE form 28R/3).

If the duration of the confinement extends beyond 60 days, the team including the parent shall determine if special education evaluation of the student would be beneficial in meeting the student's needs.

Students Attending Private Schools or Homeschool Students

Students who live in Cohasset who attend a private school per parent/guardian choice or who have been approved for homeschooling are still eligible to receive special education services. Students who may not be active in Aspen due to attending a private school or homeschool, should continue to have an Active IEP Special Education status in Aspen.

If the parent/guardian chooses to access services at their neighborhood school, they may do so in the appropriate setting based on the service delivery grid (B grid in the general ed. Setting, C grid in a separate setting, etc). Students who access these services on a walk in basis will be scheduled by the service provider according to appropriate groupings. Efforts will be made to schedule the students at the start or end of the school day if possible to minimize the disruption to the school day, however this cannot be guaranteed.

If the parent/guardian chooses not to access the IEP services, they can still accept the IEP and placement. By accepting the IEP and Placement, the family is indicating they agree with the services and if the student is re-enrolled in the District during the IEP period, the IEP will be immediately implemented. A parent/guardian should not reject the IEP or placement simply because the student attends a private school. When a student does not access services, this should be documented in the Additional Information section of the IEP, if known at the time of IEP development.

- The student status remains active.
- Progress reports continue to be written and sent home (indicating services are not being accessed)
- Annual IEP meetings are scheduled as if the student is attending CPS.
- Reevaluations are conducted as if the student is attending CPS.

At no time should a parent/guardian be asked to sign a document revoking services due to the child attending a private school or homeschool. Parents/guardians only need to revoke special education services when they no longer want their child to receive services or participate in the special education process.

Team Chairpersons should notify the Administrator of Special Education after each IEP meeting for a student attending a private school, to ensure the proportionate share database is up to date and accurate.

Special Education Student Records

Student records are defined as the transcript and the temporary record, including all information recordings and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. Information does not need to be in one location to be categorized as part of a student's records.

Documentation as it pertains to the special education process is considered part of the student's records. This includes, but is not limited to, consent forms, evaluations, meeting invitations, IEP's, N1's, N2's, 688 referrals, transition forms, and progress reports. The regulations captured in MA 603

CMR 23 which outline policies around the maintenance, access, adding information, amending, and the appeals process are applied to any special education documents which are encompassed in the student record.

Maintenance of Records

The school principal/or their designee, shall be responsible for the privacy and security of all student records maintained in the school. Student records are periodically reviewed by the building principal or their designee. Following a predetermined amount of time and a pre-identified process, portions of students' records can be destroyed. Please see MA 603 CMR 23.06 for further information around student record maintenance.

Access to Records

All eligible students and parents shall have access to the student record. Additionally, a third party, such as an advocate or attorney, can access a student's record with written consent. Upon a request to access the student record, the district will provide all components of the record (regardless of where they are located) as soon as possible but no later than 10 days. The student and/or parent has the right upon request to meet with professionally qualified school personnel to have any contents of the record interpreted. For more information around access to student records, including restrictions to access, please refer to Ma 603 CMR 23.07.

Amending Records

The student and/or parent has the right to add information, comments, data, or any other relevant written information to the student record. The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process.

It's the principal's responsibility to review any request to amend student records, including special education documents. If a request is made to amend/change a special education document that falls outside the typical special education process (for example changing an N1), please refer this request to the principal. For more information around amending student documents and the appeals process should the family not agree with the principal's decision, please see Ma 603.23.08 and MA 603.23.09.

Procedures for Physical Restraint

The Cohasset Public Schools policy reflects the content of Chapter 69, section 1B, and Chapter 71, section 37G of the Massachusetts General Laws. The purpose of these laws is to ensure that every student participating in a Massachusetts public education program is free from the unreasonable use of physical restraint.

It is the policy of the Cohasset Public Schools to comply with state law and the Massachusetts Department of Elementary and Secondary Education (“DESE”) physical restraint regulations, 603 CMR 46.00 et seq. (“Regulations”). The Regulations apply not only at school but also at school-sponsored events and activities, whether taking place on school property or in the community.

To minimize the need for physical restraint, CPS expects schools to clearly define, communicate, and instruct on the expected behaviors across all school settings. Schools will engage in activities and strategies designed to promote family awareness, engagement, and collaboration in the creation of a safe and supportive school environment with the use of culturally responsive practices.

Policy

Cohasset Public School personnel are required to ensure that every student is free from the unreasonable use of physical restraint. Physical restraint shall be used only in emergency situations, as a last resort, and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate.

When physical restraint is the only option to prevent a student from injuring themselves or another student or school community member, and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm. A person administering physical restraint will use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5).

Neither 603 C.M.R. 46.00 nor this policy prohibits: (1) any teacher, employee or agent of the District from using reasonable force to protect students, others or themselves from imminent, serious, physical harm; (2) any individual from reporting to appropriate authorities a crime committed by a student or other individual; (3) law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or person alleged to have committed a crime or posing a security risk; or (4) an individual from reporting neglect or abuse to the appropriate state agency, pursuant to M.G.L. c. 119 § 51A.

Definition of Terms

As used in 603 CMR 46.00, the following terms shall have the following meanings:

Principal or Coordinator: Instructional leader of a public school education program or their designee.

Physical Escort: Temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back to induce a student who is agitated to walk to a safe location.

Physical Restraint: Direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to support student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or physical escort.

Brief Physical Contact: Physical contact for a short period of time solely to prevent imminent harm to a student, for example, physically redirecting a student about to wander onto a busy road, grabbing a student who is about to fall, or breaking up a fight between students.

Medication Restraint: The administration of medication for the purpose of temporarily controlling behavior. Medication restraint does not include medication prescribed by a licensed physician and authorized by the parent for administration in the school setting.

Mechanical Restraint: The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel or utilized by a student that have been prescribed by an appropriate medical professional. Mechanical restraint shall not be used without a physician's order and parental consent.

Seclusion: Involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion is prohibited in the Cohasset Public Schools. Seclusion does not include Time-Out.

Time-Out: A behavioral support strategy in which a student temporarily separates from the learning activity or classroom, either by choice or by direction from staff, for the purpose of calming.
Inclusionary Time-Out: When the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom.

Exclusionary Time-Out: the separation of the student from the rest of the class, either through complete visual separation or actual physical separation.

Prone Restraint: Behavioral intervention that involves placing a person face down on a surface for any amount of time. Prone restraint is prohibited in the Cohasset Public Schools.

School Working Day: Any day or partial day that students are in attendance at the public education program for instructional purposes.

Public Education Program: Public schools, including charter schools, virtual schools, collaborative education programs, special education schools approved under 603 CMR 28.09, except as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs.

Interventions and Alternatives to Physical Restraints and Methods Used During Emergency Situations

There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior, and/or de-escalating potential high-risk behavior occurring among groups of students or with an individual student. Physical restraints should only be used in emergencies after these other, less intrusive alternatives have failed or been deemed inappropriate.

Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint include, but are not limited to, the following:

- A. Verbal Prompt – A verbal prompt is communicating what expected behavior is by clearly stating instructions and expectations.
- B. Full or Partial Physical Cue – A full or partial physical cue is anytime an adult needs to place their hands on a child or physically redirect a child. These are used at increasing levels as needed to return a child safely to task. See Physical Redirection, Physical Escort, and Physical Containment below.
- C. Physical Escort – A physical escort is utilized if a child inappropriately wanders away from the task at hand, or does not comply with walking to a specific location, an adult “escorts” them back to where the task is. A physical escort is done by standing just behind the child, grasping the child immediately above the elbow with one hand and placing the other hand between the child’s shoulder blades, and then “escorting” the child in a firm and brisk manner to the task.
- D. Physical Redirection – When a child inappropriately gets out of their seat, the child should be physically “redirected” back to their chair. A physical redirection is done by placing one hand on each of the child’s shoulders and returning the child to their chair.
- E. Time-out – A time-out is a time in which the child is unable to access any form of rewarding consequences.

De-escalation Continuum

- A. Remain calm - To possibly help prevent the likelihood of a student experiencing distress from escalating their behavior, use a neutral and level tone of voice, control one’s facial expressions, and use a supportive, nonthreatening body language.
- B. Obtain Assistance – Whenever possible, school personnel should immediately take steps to notify school administrators, the school’s administrative response team, and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.

C. One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating their behavior, having one person provide the overall direction to the response and the follow-up procedures is advisable. This may often be either the first trained staff person on the scene or the staff person with the most information about the particular situation.

D. Remove Student If Possible – The feasibility of having a student experiencing distress leave an area with other students and move to another, more private and safe area in order to de-escalate should be considered.

E. Remove Other Students – If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

Prohibitions

Physical Restraint shall not be used in the following:

- When the student cannot be safely restrained including medical contraindications, including but not limited to: communication-related disorders, asthma, seizures, cardiac condition, obesity, bronchitis, or risk of vomiting;
- as a standard response for any student;
- when non-physical interventions could be used;
- as a means of discipline or punishment; or
- as a response to property destruction, school disruption, refusal to comply, or verbal threats.

Prone restraint, chemical restraint, mechanical restraint, and seclusion are prohibited in CPS and all public school education programs.

Student files are reviewed annually at the school level by the Principal, Coordinator, or their designee, or upon enrollment, for contraindications. That information is then shared with relevant staff

Duration and When to Terminate Use of Restraint

All physical restraint must be terminated as soon as the student is no longer in an immediate danger to themselves or others, or the student indicates that they cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. If a student demonstrates or expresses significant physical distress, staff will release the restraint and seek medical assistance immediately.

Staff must obtain the Principal or Coordinator's approval before restraining any student for more than twenty (20) minutes. This approval must be based on the student's continued agitation, justifying the need for continued restraint. The Principal or Coordinator must document approval.

Time Out Procedures

The CPS does not have time-out rooms or utilize time-outs for the purpose of calming.

The following requirements shall apply to the use of time-out: Only for the purpose of calming.

- The student must be continuously observed by staff.
- Staff will either be with the student or immediately available to the student at all times.
- The space used for a time-out must be clean, safe, sanitary, and appropriate for calming.
- Unless it poses a significant risk of imminent serious physical harm, staff must be physically present with the student who is in an exclusionary time-out setting.
- If there is a significant risk of imminent serious physical harm and therefore it is not safe for staff to be present with the student in the time-out space, the student may be left in the time-out setting with the door closed but not locked and only if there a school counselor or other behavioral support professional can continually observe the student and communicate with the student until the student is calm enough to allow the presence of staff.
- Students must never be locked in a room or physically blocked from leaving a room.
- For students displaying self-injurious behavior, staff must be physically present in the same setting as the student.
- Must be terminated as soon as the student has calmed down.
- May not extend beyond thirty (30) minutes without the approval of the Principal or the Coordinator. A Principal or Coordinator may grant an extension beyond thirty (30) minutes based only on the individual student's continuing agitation. The Principal or Coordinator must document the reasons for the need for a time-out beyond thirty minutes.
- Time-out Logs must be visible outside of all time-out spaces. The logs are available at the schools for DESE review upon request.
- Student-specific logs will be filled out to include the start and end of the time-out procedure, alternative antecedent strategies that were attempted prior to the use of time-out, and the staff initiating and observing the use of time-out.
- Time-out logs will be reviewed weekly by classroom/clinical staff.
- Time-out logs will be reviewed monthly by building-based administrators to look for patterns of restraints (i.e., same student(s) being restrained. Administration will review patterns with their staff to determine the root cause of the behavior and to change strategies being used as appropriate. Refer to the administrative review section.

Proper Administration of Physical Restraint

Trained Personnel

It is the intent of Cohasset Public Schools to maintain a safe and non-harmful behavior management system that ensures the best possible care and welfare for agitated or dysregulated students, even during their most challenging moments. The initial phase of this system involves training staff in methods to de-escalate incidents of disruptive student behavior, ensuring the safety of both students and staff. Selected staff members are trained annually in both de-escalation and physical restraint procedures in compliance with DESE regulations.

Staff members are required to complete this training and sign an acknowledgment of their participation. The training includes an online course from DESE titled Prevention of Physical Restraint and Requirements if Used (603 CMR 46.00), accessible here:

<https://www.doe.mass.edu/rlo/sfs/restraint/story.html>.

It is the intent of the Cohasset Public Schools to provide a safe, non-harmful behavior management system designed to aid staff by maintaining the best possible care and welfare for agitated or

dysregulated students even during their most violent moments. The first phase of the training will involve all staff in training in methods to de-escalate incidents of disruptive student behavior to ensure both student and staff safety. Selected applicable staff are trained annually on restraint procedures. All trained staff are re-certified in Safety Care® by QBS in de-escalation and physical physical management procedures as per DESE regulations.

At the beginning of each school year, the Director of Student Services shall identify staff to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Selected staff shall complete an in-depth sixteen-hour training that includes: the use of physical restraint, prevention techniques, identifying specific dangerous behaviors, experience in restraining and being restrained, demonstration of learned skills, and instruction on the impact physical restraint has on the student and family.

Only school personnel who have received the complete Safety Care® certification training shall administer physical restraint on students except in an emergency. Some staff are trained in the De-Escalation strategies but have restrictions and are not able to implement physical management procedures.

Whenever possible, the administration of a restraint will be witnessed by at least one adult who does not participate in the restraint. The training requirement will not preclude a teacher, employee, or agent of a public education program from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm. After each physical restraint, the school nurse will assess the student's physical condition.

Safety Requirements

No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin color and respiration.

A restraint shall be released immediately upon a determination by staff administering the restraint that the student is no longer at risk of causing imminent physical harm to themselves or others. All physical restraints must be terminated as soon as the student is no longer in an immediate danger to themselves or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

If a student is restrained for a period longer than twenty (20) minutes, staff shall obtain the approval of the Principal or Coordinator. Such approval shall be based upon the student's continued agitation during the restraint, justifying the need for continued restraint.

Staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

Restraint shall be administered in such a way as to prevent or minimize physical harm. If at any time during a physical restraint, the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance. Following the release of a student from a restraint, the school shall implement follow-up procedures.

These procedures shall include:

- Reviewing the incident with the student to address the behavior that precipitated the restraint.
- Following each incident of physical restraint, the Principal or Coordinator, or designee, will conduct a debriefing session with the staff involved, as needed. This session will be documented and will include a discussion of the events that led up to the restraint, a review of the procedures that were followed, and an analysis of the alternatives that were attempted before the restraint was used. During the debriefing, staff will also identify additional strategies that could help prevent similar incidents in the future. The debrief should address the reasons why restraint was used and plan alternative strategies for the future.
- Consideration will also be given to providing appropriate follow-up support for any students who witnessed the incident.
- Assessing the student by the school nurse.

Reporting Requirements

Informing the Principal or Coordinator

The school/program staff who administered the restraint shall verbally inform the school/program administration of the restraint as soon as possible and by written report no later than the next school working day.

The written report shall be provided to the Principal or the Coordinator of the school/program, except that the Principal or Coordinator shall prepare the report if the Principal or Coordinator has administered the restraint. The Principal or Coordinator shall maintain all physical restraint reports in a permanent file, which may be made available for review by DESE, upon request.

Informing Parents

It is the Principal or Coordinator of the school or program's responsibility to make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the restraint occurring. Additionally, a copy of the written *Physical Restraint Write Up Form* must be sent home within three (3) school working days. Interpreters are also made available to parents when discussing restraint incidents, if needed.

If the school or program customarily provides a parent/guardian of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language.

In accordance with 603 CMR 46.06(4), the Principal or Coordinator, or designee, shall provide the student and the parent or guardian an opportunity to comment, both orally and in writing, on the use of restraint and the information contained in the written report. Parents or guardians have the right to provide feedback on the use of restraint and to comment on the information in the report.

Content of the Report

The written report required by 603 CMR 46.06(2) and (3) shall include:

- The name of the student. The names and job titles of the staff who administered the restraint, and observers, if any.
- The date of the restraint.
- The time the restraint began and ended.
- The name of the administrator who was verbally informed following the restraint.
- The name of the administrator who approved the continuation of a restraint beyond twenty (20) minutes and the justification for administering the extended restraint (if applicable).
- When the administrator was informed of the restraint.
- A description of the activity in which the restrained students and other staff in the room or vicinity were engaged immediately preceding the use of restraint.
- The behavior that prompted the restraint.
- The efforts made to prevent escalation of the behavior, including specific de-escalation strategies used.
- Alternatives to restraint that were attempted.
- The justification for initiating the restraint.
- A description of the administration of the restraint, including the holds used.
- And reasons such holds were necessary.
- The student's behavior and reactions during the restraint.
- How the restraint ended.
- Documentation of injury to the student and/or staff, if any, during the restraint, and any medical care provided.
- The outcome of those efforts.
- Information regarding any further action(s) that the school/program has taken or may take, including any consequences that may be imposed on the student.
- Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matters.

All parents and guardians receive all Cohasset Public Schools policies through the CPS Handbook at the beginning of each school year and available on the Cohasset Public Schools website:

<https://www.cohassetk12.org/school-committee/policy-manual/policy-manual-overview>

Administrative Review

Weekly review: The Principal or Coordinator, or a designated representative (i.e., Assistant Principal or Coordinator, Department Head) shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. With regard to any students identified, a review team(s) shall be convened as determined appropriate to assess the student's progress and needs. In making this assessment, the team should consider the following:

- The written restraint reports submitted, and any student/parent comments.
- Analysis of the circumstances leading up to the restraint.
- Consideration of factors leading up to the restraint, alternatives to restraint, and de-escalation techniques to reduce/eliminate the need for restraint in the future.

- An agreement on a written plan of action.

Monthly review: The Principal or Coordinator, or a designated representative, shall conduct a monthly review of school-wide restraint data. This review shall consider the patterns of use of restraints, looking for commonalities, the number and duration of physical restraints school-wide, and the number and types of injuries, if any, resulting from restraint. The Principal or Coordinator shall also determine what actions are necessary and appropriate to reduce or eliminate future restraint, including but not limited to modification of the school's physical restraint policy, procedures, and/or additional staff training. The Principal or Coordinator will discuss any issues or concerns that arise during the monthly review with the Director of Student Services and/ or Superintendent of Cohasset Public Schools, if those issues or concerns cannot be resolved at the school level.

Internal Administrative Monitoring System

The Cohasset Public Schools Office of Student Services conducts internal monitoring of existing restraint policies and procedures to ensure ongoing compliance with state and federal regulations. The Special Education leadership team—including the Director of Student Services, and Team Chairs conducts an annual review of the restraint policy and procedures, or more frequently if laws and regulations change, to ensure that all policies remain current and compliant.

This review includes a comprehensive examination of relevant state and federal regulations and all CPS special education policies and procedures to verify compliance. When updates are needed, the policies and procedures are revised, reviewed, and approved by the Director of Student Services. Updated policies and procedures are then published on the CPS website, provided to all staff at the beginning of the school year, and included in the CPS Special Education Process Guide.

Reports to DESE

Every school and/or program shall collect and annually report data to DESE regarding the use of physical restraint in a manner and form directed by DESE.

The school/program shall provide a copy of the written report required by 603 CMR 46.06(4) to DESE **when any restraint has resulted in any injury to a student or a school/program staff member**, or in the instant of any extended restraint, **no later than three (3) school working days** of the administration of the restraint.

The school/program shall also provide DESE with a copy of the record of physical restraints maintained by the school/program administrator pursuant to 603 CMR 46.06(2) for the thirty (30)-day period before the date of the reported restraint.

DESE shall determine if additional action on the part of the public school/program is warranted and, if so, shall notify the public school/program of any required actions within thirty (30) calendar days of receipt of the required written report(s).

Students with Disabilities

Physical restraint may not be used as a standard response for any individual student. Therefore, no written individual behavior plan or individualized education plan (IEP) may include the use of physical

restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort. The CPS does not allow the use of medical, mechanical, and seclusion restraints.

Referral to Law Enforcement or Other State Agencies

These procedures support the referral to law enforcement or other state agencies, utilizing the Cohasset Public Schools guidelines.

School personnel have the right to report to appropriate authorities a crime committed by a student or other individual, including staff members.

Law enforcement, judicial authorities, or school security personnel may exercise their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or

School personnel must exercise their responsibilities as mandated reporters, required to report abuse or neglect cases pursuant to the Cohasset Public School Protocol.