

SAMPLE PARENT LETTER FOR NCLB TEACHER QUALIFICATIONS

~~[NOTE: the NCLB Act requires local school units to notify the parents of each student attending a school receiving Title I funds that they may request information regarding teacher qualifications. Such notice must be provided at the beginning of each school year. This sample letter addresses the requirements found in 20 U.S.C. § 6311. The law requires that “to the extent practicable,” this information must be provided in a language that parents can understand.]~~

~~_____ [SCHOOL LETTERHEAD]~~

Dear Parent:

Under the federal No Child Left Behind Act, you have a right to request certain information about the professional qualifications of your child’s teacher or teachers:

- ~~• Whether the teacher has met State certification criteria for the grade levels and subject areas in which the teacher provides instruction;~~
- ~~• Whether the teacher is teaching under emergency or other provisional status through which State certification criteria have been waived;~~
- ~~• The teacher’s college major and the field of discipline of any advanced degrees held;~~
- ~~• Whether your child is provided services by any paraprofessionals such as educational technicians, and if so, their qualifications.~~

If you would like to receive any of this information, please contact me at the above address or by telephone at 799-7339.

Sincerely,

Building Administrator

~~[NOTE: local school units may choose to send these letters out under the Superintendent’s signature.]~~

Reviewed: December 14, 2004

POLICY: GDO-R

**SUPPORT STAFF EVALUATION
ADMINISTRATIVE GUIDELINES**

~~The following support staff are to be evaluated~~

- ~~• Bus Drivers and Custodians~~
- ~~• Central Office Staff~~
- ~~• Community Services Hourly Staff~~
- ~~• Food Service Staff~~
- ~~• Maintenance Staff~~
- ~~• Secretaries/Aides/Educational Technicians~~

- ~~1. New hires will be evaluated at the conclusion of their six-month probationary period.~~
- ~~2. All other employees will be evaluated on an annual basis.~~
- ~~3. Employees will be evaluated by their immediate supervisor.~~
- ~~4. The supervisor will meet with the employee to discuss the completed evaluation.~~

~~CROSS REFERENCE: — GDO – Evaluation of Support Staff~~

ADOPTED: November 14, 1995

Reviewed: January 11, 2005

EXTENDED SCHOOL YEAR SERVICES

~~It is the policy of the Cape Elizabeth School Department to provide extended school year services during the summer months when ordered by the student's pupil evaluation team and set forth in his or her IEP (Individual Education Plan).~~

~~In making its determination about whether to provide extended school year services, the PET shall make an individualized assessment of whether the student is at risk of losing skills previously mastered and of being unable to recoup those skills in a reasonable time. In those cases where the benefits accrued to the child during the regular school year will be significantly jeopardized if the student is not provided with a summer program, the PET should order the program.~~

~~Determinations about whether a student requires extended year services should draw upon the evaluative data in the possession of the PET and may consider the following factors:~~

- ~~1. The nature and severity of the student's impairment;~~
- ~~2. Whether the student's IEP contains self-sufficiency and independence from caregivers;~~
- ~~3. Whether the student is failing or likely to fail to achieve IEP objectives due to an interruption in services;~~
- ~~4. The extent of regression caused by an interruption in educational programming; and~~
- ~~5. The rate of recoupment following an interruption of services.~~

~~The PET may make determinations of extended year programs based upon empirical data of actual regression and recoupment problems or upon reasonable calculations that such problems are likely given the child's unique needs.~~

ADOPTED: February 9, 1999

REVISED: September 13, 2005

SCHEDULING FOR INSTRUCTION – TIME ON TASK
GUIDELINES

~~The following guidelines have been developed in order to assist our faculty with their attempts to meet the goal of Policy ID: Scheduling For Instruction–Time on Task:~~

- ~~A. The principals have the authority to schedule all classes and activities within their schools.~~
- ~~B. For any activity to disrupt classroom instruction, it would have to meet at least one of the following:~~
- ~~1. _____ It relates to curriculum and expands classroom knowledge and experience;~~
 - ~~2. _____ It provides faculty members with meaningful and useful training in an area which will directly serve their assigned students;~~
 - ~~3. _____ It provides a necessary opportunity for parents and teachers to collaborate;~~
 - ~~4. _____ It provides a necessary component of a career education or counseling program;~~
 - ~~5. _____ It is believed by the principal to be beneficial to the student body;~~
 - ~~6. _____ It improves a student's ability to function in class; i.e. English, speech therapy, counseling, OT, and PT~~
- ~~C. Situations which are to be monitored and generally not encouraged:~~
- ~~1. Scheduling of private lessons during any student's instructional time;~~
 - ~~2. Using intercom systems in non-emergency ways;~~
 - ~~3. Scheduling athletic practices or games which would interfere with the school day;~~
 - ~~4. Parents expecting teachers to provide their children's lessons or make-up when those needs are generated by family vacations during school days.~~

~~ADOPTED:~~

REFERRAL TO PUPIL EVALUATION TEAM

~~In addition to other requirements for parental notification, the local school unit shall notify parents in writing consistent with state special education regulations whenever their child has been referred to the Pupil Evaluation Team, and shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral checklist and intervention strategy checklist.~~

~~That notification of pre-referral interventions should include copies of the completed checklists and shall request that the parents contact the staff member who has completed the documents. That notification shall also inform parents that they have a right to refer their child directly to the Pupil~~

~~Evaluation Team if they suspect that their child may need special education services. The Cape Elizabeth School Department may advise the parents as to why it may be appropriate to have the child participate in the intervention strategies prior to a referral to the Pupil Evaluation Team, but the Cape Elizabeth School Department shall not reject or delay the referral until the intervention strategies have been tried if the parents request that the school proceed immediately with the referral. The school shall document the parents' decision.~~

~~That notification shall also inform the parents that they have a right to request a due process hearing from the Maine Department of Education in response to any refusal by the school to proceed with their request to refer their child to the Pupil Evaluation Team.~~

~~References: Maine Department of Education Regulations ch. 101, §§ 7.7, 9.8, 9.17 (Nov. 1999); 20 U.S.C. § 1400 (c) (5)(F); 34 C.F.R. Part 300, App. A., Q. 17 (Mar. 1999).~~

Cross Reference: JFCIAA Student Support Teams

ADOPTED: February 9, 1999

REVISED: November 14, 2000

REFERRAL/PRE-REFERRAL PROCEDURES

~~School employees who are making a referral shall do so by contacting the special education team leader in their building and by filling out the appropriate referral forms. Parents may at any time refer their child to the Pupil Evaluation Team if they believe the child may be in need of special services. Parent should contact the Director of Special Education at 799-3987 to make a referral, but also may contact the child's teacher to make that referral. School professionals who are informed by parents or others of a desire to refer a student should immediately direct that person to the Director of Special Education for initiation and discussion of the referral process. The school professional should also document in writing the contact with the parent or other person and should immediately forward that documentation to the Director of Special Education and the building principal.~~

~~Once the referral has been made, the PET members have 15 school days to review any existing evaluation data and to determine what evaluations may be needed as part of the referral process. That review may occur either at a PET meeting, or through other discussions that fully include the parent. If PET members are unable to reach agreement on necessary evaluations outside of a PET meeting, a PET meeting shall be held to discuss the issue.~~

~~Within 15 school days of receiving the referral, the Cape Elizabeth School Department should send to the parent a consent for initial evaluation form. When the Office of the Special Education Director receives that consent form back from the family with the appropriate signatures, the local school unit has 45 school days to complete the evaluation and to hold a Pupil Evaluation Team ("PET") meeting to determine whether the student qualifies for special education services. If the student is identified as a child with a disability in need of special education, the PET should develop an IEP for that child within 30 days of the determination that the student is eligible.~~

~~Transfer students who have already been identified as in need of special services shall on transfer and with prior written notice to the parent be provided with special education consistent with the IEP developed at the prior school, and shall be referred to the PET to review the program. If the transfer student's current IEP from his or her prior school unit is not available, or is believed to be inappropriate by either the parent or the school; the school should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.~~

~~Upon enrollment in public school, a student who was being served by the Child Development Services (CDS) system shall be treated by the local school unit in the same manner as are transfer students under the state special education regulations, except that the student's Individual Family Service Plan from CDS will be considered as his or her current IEP until such time as a PET meets to alter or amend that program. Placement, however, will be in the public school system rather than at the site provided by CDS.~~

~~Professional school staff members who observe that a student is encountering academic, social, or emotional difficulties in school that interfere with the student's education shall document those specific difficulties on a Pre Referral Checklist.~~

CAPE ELIZABETH SCHOOL DEPARTMENT

REFERRAL/PRE-REFERRAL PROCEDURES

~~The school staff member shall then develop an intervention strategy, using the intervention checklist, assistance of the Student Assistant Team, Teacher Assistant Team or the Pupil Service Team. The staff member may consult with other school employees and/or the student's parents in developing the intervention strategy. The intervention strategy shall have an established time period for implementation, and at the end of that time its success shall be assessed and documented in writing. If the intervention strategy fails to resolve satisfactorily the difficulties that were interfering with the student's education and the staff member suspects that the student may be in need of special education, the staff member shall refer the student to a Pupil Evaluation Team in accordance with the referral process noted above.~~

PARENTAL NOTICE

~~In addition to other requirements for parental notification, the local school unit shall notify parents in writing consistent with state special education regulations whenever their child has been referred to the Pupil Evaluation Team, and shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral checklist and intervention strategy checklist.~~

~~That notification of pre-referral interventions should include copies of the completed checklists and shall request that the parents contact the staff member who has completed the documents. That notification shall also inform parents that they have a right to refer their child directly to the Pupil~~

~~Evaluation Team if they suspect that their child may need special education services. The Cape Elizabeth School Department may advise the parents as to why it may be appropriate to have the child participate in the intervention strategies prior to a referral to the Pupil Evaluation Team, but the Cape Elizabeth School Department shall not reject or delay the referral until the intervention strategies have been tried if the parents request that the school proceed immediately with the referral. The school shall document the parents' decision.~~

~~That notification shall also inform the parents that they have a right to request a due process hearing from the Maine Department of Education in response to any refusal by the school to proceed with their request to refer their child to the Pupil Evaluation Team.~~

~~References: Maine Department of Education Regulations ch. 101, §§ 7.7, 9.8, 9.17 (Nov. 1999); 20 U.S.C. § 1400 (e) (5)(F); 34 C.F.R. Part 300, App. A., Q. 17 (Mar. 1999).~~

Cross Reference: JFCIAA Student Support Teams

ADOPTED: February 9, 1999

REVISED: November 14, 2000

REFERRAL/PRE-REFERRAL

~~The Cape Elizabeth School Department shall refer to the IEP Team all school-age students suspected of having a disability that requires special education and related services. Referrals to the IEP Team may be made by a child's parent, by professional school staff, or by others with knowledge of the child. Referrals should be made and processed consistent with these procedures.~~

A. ~~Referrals by Parents~~

~~A parent may refer his or her child to the IEP Team at any time. That referral shall be made in writing directly to the office of the Director of Instructional Support. Should the parent seek to make a referral through other professional staff (such as teachers, guidance counselors, or administrators), that professional staff member shall directly assist the family in making the referral in writing to the office of the Director of Instructional Support. Should a parent attempt to make a referral orally, professional staff shall assist the parent in reducing that referral to writing and submitting it to the office of the Director of Instructional Support.~~

~~A parent referral shall be processed consistent with these procedures and governing timelines even if the child is receiving interventions pursuant to the District's pre-referral procedures (discussed below). Those pre-referral procedures shall continue during the referral process, however.~~

B. ~~Referrals by Staff~~

~~Any professional employee of the school unit may refer a child to the IEP Team regardless of the results of initial child find activities, but only after completion of any pre-referral intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.~~

~~Professional school staff shall prepare a referral in writing and shall submit that referral directly to the office of the Director of Instructional Support.~~

C. ~~Referrals by Others~~

~~Individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may refer that child to the IEP Team regardless of the results of initial child find activities but only after completion of any pre-referral intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit~~

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~~and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.~~

~~Should such a person attempt to make a referral orally, professional staff shall assist that person in reducing that referral to writing and submitting it to the office of the Director of Instructional Support.~~

D. — Receipt of Referral

~~Regardless of the source of the referral, a referral is received by the school unit on the date that the written referral is received by the office of the Director of Instructional Support. It shall be signed and dated by the Instructional Support director/designee, thereby indicating the date of the receipt of that referral.~~

E. — Time Line for Processing Referral

~~Once the referral has been received in the office of the Director of Instructional Support, the IEP Team shall review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting. If additional evaluations are needed, the local unit must send a “consent to evaluate” form to the parent within 15 school days of receipt of the referral. Also upon receipt of the referral (from any source), the local unit shall send the parent its written notice form documenting that referral.~~

~~Once the office of the Director of Instructional Support receives the signed consent for evaluation back from the parent, the local unit shall have 60 calendar days to complete the evaluation and to hold an IEP Team meeting to determine whether the student qualifies for special education services. If the student is identified as a child with a disability in need of special education, the Team should develop an IEP for that child either at that same meeting or within 30 calendar days of determining that the student is eligible.~~

~~The local unit shall implement the IEP as soon as possible following the IEP Team meeting when the child is found eligible, but no later than 30 calendar days after that meeting.~~

F. — Transfer Students

~~Students who have already been identified as in need of special education services and who transfer into the school unit from another school unit *within Maine* shall, on enrollment and in consultation with the parent, be provided with FAPE (including services comparable to those described in the child’s IEP from the previous school unit) until the local unit either adopts the child’s IEP from the previous unit or develops, adopts, and implements a new IEP.~~

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~~Students who have already been identified as in need of special services and who transfer into the school unit from another school unit from outside of Maine shall, on enrollment and in consultation with the parent, be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit conducts an evaluation to determine whether the student is eligible for special education and, if so, develops, adopts, and implements a new IEP.~~

~~If the transfer student's current IEP from his or her prior school unit is not available or is believed to be inappropriate by either the parent or the school, the local unit should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.~~

~~If a child transfers into the school unit after the referral time line has begun in the previous school unit but before an eligibility determination has been made, the time line referenced above for completing that process shall not apply if the local unit is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and school unit agree to a specific time when the evaluation will be completed and the eligibility decision made.~~

Pre-Referral Procedures

~~Professional school staff members who observe that a student is encountering academic or functional difficulties in school that interfere with the student's education shall document those specific difficulties on a pre-referral checklist.~~

~~The school staff member shall then develop intervention strategies using the intervention checklist that accompanies the pre-referral checklist. The staff member may consult with other school employees and/or the student's parents in developing the intervention strategy. The intervention strategies shall have an established time period for implementation, and at the end of that time, its success shall be assessed and documented at the bottom of the intervention checklist. If the intervention strategies have not been effective or if the interventions are demonstrated to be effective but require continued and substantial effort that may include the provision of special education and related services, the staff member shall refer the child to the IEP consistent with the procedures set forth above.~~

~~The local unit shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral checklist and intervention strategy checklist. That notification of pre-referral interventions should include copies of the completed checklists and shall request that the parents contact the staff member who has completed the documents. That notification shall also inform parents that they have a right to refer their child directly to the IEP Team if they suspect that their child may need special education services. The local unit may advise the parents as to why it may be appropriate to have the child participate in the intervention strategies prior to a referral to the IEP team, but~~

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~~the local unit shall not reject or delay the referral until the completion of the intervention strategies.~~

~~All notes from the pre-referral process and, if relevant, team meetings and all the data collection procedures that may have been developed through this process shall be considered by the IEP Team and shall become part of the child's special education file. For children who do not qualify for special education services, all pre-referral documents are kept in the child's cumulative folder for future reference and for ongoing educational planning.~~

~~The general education interventions developed through this pre-referral process shall be continued in the event of a referral while the referral is being handled by the IEP Team, and the resulting data shall become part of the child's special education file.~~

~~Special education due process procedures shall not be used to address parental concerns regarding successful implementation of these pre-referral procedures, and the failure to use this pre-referral process may not be used in special education due process proceedings to establish that the school unit has failed to meet its child find or referral obligations.~~

~~Legal Reference — Ch. 101, §§ II(23), III, IV(2)(D), (E), V(4)(A) (Me. Dept. of Ed. Rules) (August 2007)~~

Adopted: April 8, 2008

FILE: IHBAG

POLICY ON PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT

~~The Cape Elizabeth School Department shall program for students with disabilities in the least restrictive educational environment that can appropriately address the student's needs. Toward that end, the Cape Elizabeth School Department shall ensure that, to the maximum extent appropriate, students with disabilities are educated with children who are not disabled, and that special education, separate schooling or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.~~

~~Determinations regarding programming in the least restrictive environment shall be made by the student's Pupil Evaluation Team (PET) and shall draw upon a multidisciplinary assessment of the student's needs. The Cape Elizabeth School Department shall make available as appropriate the full continuum of educational placements when making placement determinations.~~

~~The Superintendent of Schools, in consultation with the Director of Special Education, may develop and promulgate procedures for implementing this policy, and may from time to time amend those procedures as necessary.~~

~~References: 20 U.S.C. § 1412 (a) (5); 34 C.F.R. § 300.550 to .552; Me. Dep't of Educ. Reg. ch. 101, § 11.1 to 11.3 (Nov. 1999).~~

ADOPTED: February 9, 1999

REVISED: November 14, 2000

REVIEWED & APPROVED: September 13, 2005

PROCEDURES ON PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT

Determinations regarding least restrictive programming may be made by the student's P.E.T. in the following manner:

- 1) ~~The P.E.T. should first assess whether education in the regular classroom, with the use of supplementary aids and services, can be achieved satisfactorily. In making that determination, the P.E.T. should assess each of the following factors:~~

- a. ~~Supplementary aids and services necessary assist the student in obtaining a satisfactory education in the regular classroom.~~

~~Supplementary aids and services may include, but are not limited to, resource room services, itinerant services, assistive technology services, modifications of curriculum, use of Educational Technicians, and consultation services from special educators.~~

~~When assessing supplementary aids and services, the P.E.T. need not order placement in the regular classroom if it would require modification of the regular curriculum beyond recognition or would result in the student not having to learn any of the skills normally taught in that regular education curriculum.~~

- b. ~~A comparison of the benefits the student would receive in the regular education classroom with those that the student would receive in a more restrictive setting, such as a self-contained program.~~

~~The assessment of benefits should consider both academic and social benefits of participation in the placement at issue. The P.E.T. should also assess academic and social detriments for the student that may arise from the placement at issue.~~

~~In some circumstances, large social benefits of regular education may outweigh small academic benefits, just as large academic benefits of a more restrictive setting may outweigh small social benefits of a regular education placement.~~

- c. ~~Effect placement of the student in the regular classroom would have on other students in the classroom.~~

~~The P.E.T. need not place a student in the regular classroom when the student's behavior, even with supplementary aids and services, would be so disruptive that the education of other students is significantly impaired. Nor would the P.E.T. need to place the student in the regular classroom when the student would require so much of the teacher's or the educational technician's time that the rest of the class suffers.~~

- d. ~~The financial cost of supplementary aids and services accompanying an appropriate placement in the regular classroom.~~

**PROCEDURES ON PROGRAMMING IN THE LEAST RESTRICTIVE
ENVIRONMENT (continued)**

~~Placement in the regular classroom may not be rejected under this factor simply because it would be incrementally more expensive than placement in a more restrictive setting. Yet the school unit need not educate a student in the regular classroom, if the cost of such a placement would significantly impact upon the education of other students. In most circumstances, the school unit need not place a student in the regular classroom, if such placement requires that the student have his or her own full time teacher.~~

- ~~2) If the P.E.T. determines after assessing the above factors that the student is unable to be educated satisfactorily in the regular classroom with supplementary aids and services, the P.E.T. should then determine the maximum extent of mainstreaming that the student may appropriately receive.~~

~~In making this determination, the P.E.T. should consider the full continuum of alternative placements — such as placing the student in regular education for some academic classes and in special education for others, mainstreaming the child for nonacademic classes only, or providing interaction with nondisabled students during lunch and recess.~~

~~Placements in residential programs shall be made only when the P.E.T. determines that the student is not otherwise able to receive some educational benefit from a day program.~~

~~References: 20 U.S.C. § 1412 (a) (5); 34 C.F.R. § 300.550 to .552; Me. Dep't of Educ. Reg. ch. 401, § 11.1 to 11.3 (Nov. 1999).~~

ADOPTED: February 9, 1999

REVISED: November 14, 2000

INDEPENDENT EDUCATIONAL EVALUATIONS

~~A parent of a special education student has a right to obtain an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the local school unit. An “independent education evaluation” means an evaluation conducted by a qualified examiner who is not employed by the local school unit.~~

~~If a parent requests an independent educational evaluation at public expense to challenge an evaluation obtained by the local school unit, the school must provide a written response to that request within a reasonable period not to exceed 30 days of the receipt of the request, and shall without unnecessary delay, either (1) initiate a hearing with the Maine Department of Education to show that its evaluation is appropriate; or (2) ensure that an independent educational evaluation is provided at public expense, unless the local school unit demonstrates in a hearing with the Maine Department of Education that the evaluation obtained by the parent did not meet agency criteria.~~

~~If a parent requests an independent educational evaluation at public expense, the public agency may ask for the parent’s reason why he or she objects to the local school unit’s evaluation. However, the explanation by the parent may not be required and the local school unit may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the local school unit’s evaluation.~~

~~If the independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the local school unit uses when it initiates an evaluation.~~

~~The local school unit shall provide to the parent, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the information about the school’s criteria applicable to independent educational evaluations at public expense.~~

~~If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the local school unit, if that evaluation meets the local school unit’s criteria for independent educational evaluations, in any decision made with respect to the provision of a free appropriate public education for the child.~~

~~If the parent requests an independent evaluation at public expense when the parent does not disagree with an evaluation provided by the local school unit, or when the school has not recently provided an evaluation in the area requested, the parent request shall be referred without unnecessary delay to the Pupil Evaluation Team to determine whether the PET should order an evaluation in the area requested.~~

Authority: 34 C.F.R. § 300.502 (March 1999); Me. Dep’t of Educ.Reg. ch. 101, §§ 9.19, 12.5 (Nov. 1999).

ADOPTED: February 9, 1999

REVISED: November 14, 2000

REVIEWED & APROVED: September 13, 2005

Lau PLAN
(Service to Limited English Proficient Students)

~~I. INTRODUCTION~~

~~— A. Definitions:~~

- ~~1. LAU Plan — a written plan or policy developed by a school district to address the appropriate educational practices for limited English proficient students as a result of the US Supreme Court case of Lau v. Nichols (1974).~~
- ~~2. Limited English Proficient (LEP) — Describes a child who comes from a home where a language other than English was/is spoken and the child's proficiency in English (one or more skill areas) presents an obstacle to that child benefiting from an education conducted in English.~~
- ~~3. English as a Second Language (ESL) — Refers to programs designed around various structured teaching approaches for helping students whose first or native language is not English and who are limited English proficient.~~

~~— B. Legal Foundation for Necessity of Providing Language Support Services~~

~~— The United States Congress addressed the subject of discrimination against limited English proficient students in the Equal Education Opportunity Act of 1974.~~

~~— No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex or national origin.~~

~~— Congress acted to ensure that all public schools would comply with this act, not just those receiving federal funds. This statute recognizes the state's role in assuring equal educational opportunity for limited English proficient students. The statute also stresses that the failure of an educational agency to rectify appropriately a limited English proficient student's English competencies is a denial of equal educational opportunity.~~

II. IDENTIFICATION OF STUDENTS

~~— A. Registration:~~

- ~~1. Any student who does not speak English is referred to the ESL coordinator for language assessment.~~
- ~~2. If, on the registration form, a parent (or sponsor) indicates a language other than English is spoken at home, a copy of the registration form should be sent to the ESL coordinator.~~

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~~3. All students who live in a home where a language other than English is spoken must be assessed by the ESL coordinator to determine placement.~~

~~B. Other Referral Sources:~~

- ~~1. Parents~~
- ~~2. Classroom teachers~~
- ~~3. Previous school records~~
- ~~4. Student self referral~~
- ~~5. Others~~

III. ASSESSMENT OF ENGLISH LANGUAGE PROFICIENCY

~~A. The ESL Coordinator oversees the educational program of LEP students enrolled in the Cape Elizabeth school system. The coordinator will:~~

- ~~1. Conduct identification and language assessment activities of newly registered LEP students.~~
 - ~~a. Identify primary language through Home Language Survey.~~
 - ~~b. Interview students and/or parent to determine grade level.~~
 - ~~c. Review all available educational documents.~~
 - ~~d. Determine English language proficiency.~~
- ~~2. Monitor programs of LEP students on a yearly basis to determine if student is ready for partial or full time mainstreaming.~~
- ~~3. Establish a record keeping system for recording assessment results and instructional placement.~~

~~B. Assessment Areas:~~

~~1. Kindergarten and Primary~~

~~Listening: Such assessments as:-~~

- ~~Language Assessment Scales Oral (LAS O)~~
- ~~IDEA Oral Language Proficiency Test (IPT)~~
- ~~Peabody Picture Vocabulary Test (PPVT)~~

~~Speaking: Such assessments as:~~

- ~~Language Assessment Scales Oral (LAS O)~~
- ~~IDEA Oral Language Proficiency Test (IPT)~~
- ~~SPELT (assesses specific grammatic structure)~~

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~~English language readiness skills~~

~~2. Grades 3-12~~

~~Listening: Such assessments as:~~
~~Language Assessment Scales Oral (LAS-O)~~
~~IDEA Oral Language Proficiency Test (IPT)~~
~~"Directed Oral Passages"~~
~~Story retelling~~
~~Peabody Picture Vocabulary Test (PPVT)~~

~~Speaking: Such assessments as:~~
~~Language Assessment Scales Oral (LAS-O)~~
~~IDEA Oral Language Proficiency Test (IPT)~~
~~Oral Interview~~
~~Story Retelling~~

~~Reading: Such assessments as:~~
~~Language Assessments Scales (LAS Rdg./Wr.)~~
~~Standardized Achievement Tests~~
~~Informal Reading Inventory~~

~~Writing: Such assessments as:~~
~~Language Assessment Scales (LAS Rdg./Wr.)~~
~~Writing Samples Holistically scored~~
~~Dictation~~

IV. PLACEMENT/PROGRAMMING FOR STUDENTS IDENTIFIED AS LEP:

A. If students are classified as LEP, the students attend school where they will receive English As A Second Language (ESL) instruction.

B. Elementary Students K-5

- ~~1. Based on the English language assessment and educational data collected by the ESL coordinator, the LEP student's program will be developed by the ESL team consisting of the ESL coordinator, a classroom teacher, a school principal and parent(s) if possible.~~
- ~~2. The parent will receive results of the meeting and a description of the student's ESL and educational program. Personal contact will be made with parent(s) whenever possible.~~

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- ~~3. Content areas of the curriculum will be adapted to meet the language and educational needs of the LEP student.~~
- ~~4. Yearly assessment of the student's progress will be documented.~~

~~C. Middle School and High School Students~~

- ~~1. Based on the English language assessment and educational data collected by the ESL coordinator, the LEP student's program will be developed by the ESL coordinator, guidance counselor, parent, and at times, an ESL tutor and classroom teacher.~~
 - ~~a. Consideration will be given to scheduling LEP students with teachers who have expressed interest and have expertise adapting curriculum to meet LEP students' needs.~~
 - ~~b. A guidance counselor will meet with the ESL teacher/coordinator and parents to inform them of daily language and content area instructional programs.~~
- ~~2. Yearly assessment of the student's progress will be documented.~~

~~D. LEP service will be provided during the school day by an appropriately certified teacher or a teacher assistant supervised by a certified teacher.~~

~~E. Adequate space and instructional materials will be provided for LEP students.~~

~~F. Record keeping The student's cum folder will contain ESL information which may include:~~

- ~~— 1. Results of assessment and interpretation~~
- ~~— 2. Pertinent communication with classroom teachers, guidance, parents~~
- ~~— 3. Dated samples of student's work~~
- ~~— 4. Checklist of strengths/weaknesses~~
- ~~— 5. Standardized test data~~
- ~~— 6. Documentation report of year's progress~~

~~V. RECLASSIFICATION/EXIT CRITERIA:~~

Lau PLAN
(Service to Limited English Proficient Students)

~~A. Student will be assessed by multi criteria evaluation tools to determine reclassification to partial or full mainstreaming.~~

- ~~1. ESL teacher and classroom teacher feel that student has:~~
- ~~a. Appropriate English language skills to perform effectively with program modifications.~~
 - ~~b. English language skills sufficient for participation with non-LEP students.~~
- ~~2. Student is successful in mainstream classroom commensurate with English-speaking students of like ability as measured by report card grades and teacher input.~~
- ~~3. Student has mastered ESL skill objectives; criterion referenced and/or norm-referenced testing.~~
- ~~4. Student meets the publisher's specified English fluency score on oral language assessment test.~~
- ~~5. Student demonstrates achievement in reading comprehension and writing on parity with English-speaking peers at the same age and grade level on a criterion referenced or norm referenced standardized test.~~
- ~~B. Student will be monitored after program change~~ After program change, the ESL coordinator will monitor and review a reclassified student's academic and social adjustment to ascertain if the student is able to compete academically with English language peers in the new instructional placement.
- ~~C. Student's parents will be notified~~ The ESL coordinator (K-5) or the guidance counselor (6-12) will notify the parent(s) of the new instructional placement. If the parent(s) cannot read English, s/he will be notified in his/her own language.

ADOPTED: May 13, 1997

**MODEL SUPPLEMENTAL STATEMENT OF RIGHTS
FOR PRIVATE SCHOOL STUDENTS WITH DISABILITIES**

~~If you are the parent/legal guardian of a disabled child or suspect that your child may have a disability that is covered by state or federal special education laws, and you have privately placed your child in a private school program located within this school district, you have the following rights:~~

- ~~_____ A. _____ You have the right to have your child located, identified and evaluated by the Cape Elizabeth School Department as a possible special education student, including referral of your child to an IEP Team to determine whether your child qualifies as a special education student, and to be re-evaluated at least every three years to determine your child's continued eligibility for special education. The school unit child find and referral obligations toward your child while he/she is parentally placed in a private school program located in the Cape Elizabeth School Department are the same as for students enrolled in public school, as described in the attached special education "Procedural Safeguards Statement."~~
- ~~_____ B. _____ Students with disabilities who have been parentally placed in private schools located within the Cape Elizabeth School Department do not have an individual right to special education and related services while enrolled in the private school program.~~
- ~~_____ C. _____ When designing and implementing special education services for parentally placed, private school children attending private schools within the school unit, the school unit has an obligation to consult in a timely and meaningful manner with representatives of those children and with private schools regarding the following issues:~~
 - ~~_____ 1. _____ The child find process itself, and whether parentally placed private school and home school students participate in that process equitably, and how parents of these children and private schools are notified of the process;~~
 - ~~_____ 2. _____ How the public school determines the proportionate share of federal dollars that will be spent;~~
 - ~~_____ 3. _____ The consultation process itself, including how that process will operate throughout the school year so as to ensure meaningful participation in services;~~
 - ~~_____ 4. _____ How, where, and by whom special education and related services will be provided, including the types of services and how such services will be apportioned if funds are insufficient to serve all children, and how and when these decisions will be made; and~~

**MODEL SUPPLEMENTAL STATEMENT OF RIGHTS
FOR PRIVATE SCHOOL STUDENTS WITH DISABILITIES**

- ~~5. If the local unit disagrees with views of private school officials on the provision and types of services, the local unit will provide a written explanation of the reasons why the local unit made the decisions that it did.~~
- ~~D. The Cape Elizabeth School Department has a duty to expend on the pool of identified parentally-placed, private school students with disabilities an amount that is the same proportion of the school unit federal special education dollars as the number of those students is to the overall total number of students with disabilities within the school unit's jurisdiction. If some of those funds are not expended in a given year, the school unit must carry over unspent funds to the following year for expenditure on these services.~~
- ~~E. The school unit, not the IEP Team, shall make the final decisions with respect to the services to be provided to eligible parentally-placed, private school students with disabilities, following timely and meaningful consultation as described in Paragraph C. above.~~
- ~~F. For any parentally-placed, private school student with a disability for whom the school unit decides that it will provide services, the school unit shall initiate and conduct a meeting of the IEP Team to develop, review, and revise a services plan detailing the special education and related services to be provided and including goals for measuring the outcome of such services. To the extent appropriate, the Team shall develop the services plan in a manner consistent with development of an IEP.~~
- ~~G. Parents may file for a due process hearing with the Maine Department of Education, Division of Special Services (624-6650), alleging that the Cape Elizabeth School Department has failed to meet its child find duty to locate, identify, and evaluate all private school/home school students with disabilities. Parents may also file due process complaints with the same agency regarding the implementation of any of the rights addressed in this document. Finally, private school officials may file a complaint with the Maine Department of Education, Division of Special Services, alleging that the Cape Elizabeth School Department has not engaged in consultation that was timely or meaningful or did not give due consideration to the views of the private school official.~~
- ~~H. Should the parents of a parentally-placed, private school student choose to enroll their child in the public school program where they reside, the disabled child would have a right to receive a free, appropriate public education and an Individualized Education Program (IEP) from that public school unit. Parents of such children who reside in Cape Elizabeth should contact the Director of Instructional Support, Cape Elizabeth School Department, 320 Ocean House~~

**MODEL SUPPLEMENTAL STATEMENT OF RIGHTS
FOR PRIVATE SCHOOL STUDENTS WITH DISABILITIES**

~~Road, PO Box 6267, Cape Elizabeth, Maine 04107 if you have any interest in exploring what special education services your child might receive if enrolled in the school unit's public schools. Cape Elizabeth School Department would then convene an IEP Team meeting to discuss this with you further. If you enroll your child in public school, you and your child are entitled to all the rights set forth in the school unit's attached special education "Procedural Safeguards Statement."~~

- ~~I. If you would like a complete copy of the state and federal regulations addressing the duties of the Cape Elizabeth School Department toward private school/home school students with disabilities or have any other questions, please contact the Instructional Support Office at the Cape Elizabeth School Department at 799-2217 or the Maine Department of Education, Division of Special Services (624-6650). If you have any concerns about your child, please address those concerns in writing to: Director of Instructional Support, Cape Elizabeth School Department, 320 Ocean House Road, Cape Elizabeth, Maine 04107.~~

~~Legal References: 20 U.S.C. § 1412(a)(10)(A)
34 C.F.R. § 300.130 to .144 (August 2006)
Me. DOE Reg. Ch. 101, § II(20), IV(4)(G) (Aug. 2007)~~

Adopted: April 8, 2008

SCHOOL SYSTEM WEBSITE/PAGE ADMINISTRATIVE PROCEDURE

A. Web Site Website Purpose

The purpose of Cape Elizabeth School District's official web site is to provide general information about our school system as well as information about educational programs, extracurricular activities and school events. This web site, and student and staff policies are intended to support the educational mission of the schools, to enhance the curriculum and learning opportunities for students and staff, and to inform the larger community about our schools. The following guidelines are intended to ensure that the website meets these goals and to establish reasonable controls to protect the privacy of students and staff. It is the goal of the School District to ensure that the website is in compliance with applicable laws and to ensure that it meets the highest educational and quality standards.

The web site is an outlet for the official message of Cape Elizabeth School District and its not a forum for dissemination of other views. The content of the web site shall remain in the exclusive control of Cape Elizabeth School District, and its School Board and designated agents.

B. Web Site Website Structure

The web site includes the following content areas:

- System-wide information (such as Central Office, Technology, Transportation, Facilities, and Food Service);
- 1. School Board information (such as members, officers, committees, meeting agendas, minutes and policies);
- School-wide information for each individual school;
- Individual department, grade-level and/or classroom information (which may include student work and/or teacher-created work and resources);
- Information about:
 - School-sponsored extracurricular organizations;
 - 2. Information about school events and activities; and
 - 3. Contact information for School Board members and school staff.
 - 4. Official positions of the School Board on school-related issues.

C. School Unit Authority and Webmaster Responsibilities

Cape Elizabeth

The School District reserves the right to approve all web site content and to edit, delete, or modify any web page content as it sees fit to comply with the intended purposes of the web site and these guidelines.

SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURE

— The Superintendent shall designate a Webmaster, who is ~~shall be~~ responsible for maintaining the web site ~~School Department's website~~, approving all material to be posted on the site, and monitoring all web site ~~website~~ activities for compliance with Board policies, applicable laws and regulations, and these guidelines. If the Webmaster is unsure whether particular material is appropriate, he/she shall consult with the Superintendent, whose decision shall be final. ~~Only the Webmaster and other authorized school staff shall have password-protected access to the web server to place and remove web pages and content.~~

All position statements and viewpoints published on the website related to school policy, governance and initiatives must be approved by the School Board or its designee.

Only the Webmaster and other authorized school staff shall have password-protected access to the web server to place and remove web pages and content.

D. — Web Site Content ~~(Quality and Subject Matter)~~
Cape Elizabeth

~~The School District's web site~~ ~~Department website~~ does not create, nor is it intended to create, a public or limited public forum. All materials placed on the web site ~~website~~ must serve the educational mission of the school and shall support the Cape Elizabeth School District's official views regarding how best to accomplish the educational mission of the school.

1. ~~Web site content is limited to school-sponsored information and activities. No personal student or staff web pages are permitted on the web site.~~

2. ~~Web page content must comply with all Board policies, administrative procedures and school rules.~~ ~~concerning the publication and distribution of student-generated materials~~

3. ~~All materials placed on the web site~~ ~~website~~ must be appropriate for web site and meet academic standards for proper spelling, grammar, content, ~~and~~ accuracy and appearance.

4. ~~Student web site content may include artifacts of learning such as ePortfolios, student multimedia content, and other web tools.~~

If the Webmaster is unsure whether particular material is appropriate for the web site, he/she shall consult with the Superintendent, whose decision shall be final.

~~All materials placed on the website must comply with all Board policies, administrative procedures and school rules concerning the publication and distribution of student-generated materials.~~

~~Web page content must be appropriate for school-sponsored information and only the Superintendent and other authorized school staff shall have password-protected access to the web server to place and remove web pages and content.~~

SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURE

E. Confidentiality of Student Information

1. The web site shall be in compliance with all applicable state and federal confidentiality laws and regulations.
2. At no time shall personal information about students (such as home address, telephone number, e-mail address, birth date, social security number, etc.) or any other information made confidential by state or federal law appear on the web site. The web site will not include any information that indicates the physical location of students at any given time, other than attendance at a particular school or participation in school activities.
3. Student information, photographs or work may only be published on the web site if the student's parent/guardian has signed the Parent/Guardian Agreement Form to Publish Student Information. For purposes of these guidelines, student information includes name, class rosters, awards/honors received, and team/extracurricular activity participation lists.

Schools must obtain prior written consent from parents before posting student information on their web site or elsewhere on the Internet.

F. Confidentiality of Staff Information

1. At no time shall personal information about staff appear on the web site (including home address, home telephone number, home e-mail address, birth date, social security number, etc.).
2. Because the School unit's web site is maintained in part to enhance communication with students and their families, the school e-mail addresses and/or telephone numbers of staff are published on the web site.

G. Copyright

1. Appropriate permission will be obtained before any copyrighted or trademarked material is used on the web site. No copyrighted material may be reproduced, transmitted or stored on Cape Elizabeth School District's web site without obtaining permission from the copyright owner.
2. Students shall retain the copyright on materials that they create.
3. An appropriate copyright notice will appear with all copyrighted material published on the web site.

SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURE

4. Except for the above exceptions, all web pages and content on the web site are the property of and owned by Cape Elizabeth School District.

H. Web Site Design and Accessibility

1. The Webmaster is authorized to develop standards for the design and appearance of Cape Elizabeth School District's web site. These standards will include measures to make web pages accessible to persons with disabilities. School unit information available on the web site will also be made available to the public in alternative ways upon request.

I. Advertising

1. The Cape Elizabeth School District's web site will not include any advertising, nor will it include any selling activities outside of publicity for school-sponsored and/or approved fundraising activities.

J. Links to External Site

1. The Cape Elizabeth School District's web site will not include links to any personal web sites of students or staff.
2. The web site may include links only to web sites that have demonstrated educational value to students, staff and/or the community, as deemed appropriate by the Webmaster.
3. The web site shall include a disclaimer informing users that links are provided as a convenience, and that Cape Elizabeth School District does not endorse these sites or have any responsibility for the content of these sites.

K. Additional Requirements

1. The web site shall inform users about how to contact the Webmaster.
2. The Webmaster will provide appropriate information to school users regarding technical requirements for publishing material on the web site.

Cross Reference: IJND – Cape Elizabeth School District Web Site

APPROVED: January 10, 2006

Revised: December 14, 2010

DISTANCE LEARNING PROGRAM

~~The Cape Elizabeth School District is a member of the Maine Department of Education Distance Learning Network, a network of schools that uses real time interactive technology to provide expanded educational opportunities to students and staff. This system enables schools across the state to share course offerings, professional development, ideas and information regardless of the participants' geographic location.~~

~~The DOE Distance Learning Network is to be used for educational purposes consistent with the mission and goals of the schools. The Board and administration will consider and address distance learning opportunities and issues when reviewing and developing policies, preparing budgets, and planning for curriculum and professional development. The Superintendent is authorized to enter into agreements with other school units regarding the Distance Learning Network.~~

~~All users of the DOE Distance Learning Network facility and participants in distance learning programs are expected to comply with applicable Board policies, procedures and school rules. Violations of Board policies, procedures and school rules may result in loss of privileges to use the facility or participate in distance learning programs, as well as disciplinary sanctions under the applicable policy or rule.~~

~~The Superintendent is responsible for implementing the distance learning program, although specific responsibilities may be delegated to administrators or other appropriate staff at the Superintendent's discretion.~~

~~Cross References: Distance Learning Program Guidelines
EGAD Copyright Compliance
IHCDA Post-Secondary Enrollment Options
IJNDB Student Computer and Internet Use
GCSA Employee Computer and Internet Use
KF Community Use of Facilities~~

ADOPTED: January 10, 2006

EVALUATION OF INSTRUCTIONAL PROGRAMS

~~The evaluation of the instructional program shall be a major responsibility of the Superintendent and his/her staff with periodic reports being presented to the Board to enable them to make judgments to be made on the success of, or weaknesses in, the program. No instructional program should be considered as the final answer and all school programs shall be under continuous study by the staff. It should be borne in mind that instruction is the primary responsibility of the schools, and all other activities are merely subsidiary. This being the case, the evaluation of the instructional program shall be done with great care to meet all state and federal regulations and the Board kept informed at all times.~~

~~Moreover, the Superintendent is expected to lead the staff, community and Board in the development and ongoing review of Board adopted criteria and standards by which to measure the results of the educational process.~~

~~Cross Reference: IGA Curriculum Development~~

~~ADOPTED: December 10, 1991~~

~~Recoded: June 1998~~

~~REVISED: December 12, 2006~~

FLAG DISPLAYS

~~In accordance with Maine law, the United States and Maine flags are to be displayed from the public school buildings of this school unit every school day and on appropriate occasions. Further, the American flag is to be displayed in every classroom in each public school in the unit.~~

~~Legal Reference: — 20 A MRSA ¶¶ 1055; 4805~~

ADOPTED: June 13, 1995
RECODED: June 1998
REVISED: December 12, 2006

STUDENT USE OF CELLULAR TELEPHONES AND OTHER ELECTRONIC DEVICES

~~The Board recognizes that many students possess cellular telephones and other electronic devices. These devices may not be used in any manner that disrupts the educational process or violates Board policies or school rules. The Cape Elizabeth School Department is not responsible for damage, loss or theft of such devices. The Superintendent is authorized to develop, with input from administrators, any school rules necessary to implement this policy.~~

~~***[DWM NOTE: Local school units that want to allow students to use their privately-owned computers at school may want to address this issue in Policy IJNDB – Student Computer and Internet Use. See discussion in that sample policy.]***~~

Cross Reference: ~~JIH Questioning and Searches of Students~~
~~JICIA Weapons, Violence, Bullying and School Safety~~
~~JICK Bullying and Cyberbullying~~

ADOPTED: _____

**STUDENT USE OF CELLULAR TELEPHONES AND
OTHER ELECTRONIC DEVICES**

SCHOOL RULES

1. ~~Students are prohibited from using privately owned electronic devices, including but not limited to cell phones, smartphones, handheld computers, MP3 players and electronic games during classes and school activities, including study halls, field trips and extracurricular activities.~~
 - a. ~~During classes and school activities, all such devices must be turned off.~~
 - b. ~~The only exception to this rule is when a teacher specifically authorizes students to use such a personal electronic device for a specific purpose (such as entering an assignment in a device).~~
 - c. ~~If this rule is violated, the teacher will immediately confiscate the device for the remainder of the school day, and discipline may be imposed as provided below.~~
2. ~~Students may use electronic devices between class periods and during lunch periods. Cell phones and other devices must be kept off or on “vibrate” mode to avoid disrupting others.~~
3. ~~The use of cameras or the camera/video function on any device is strictly prohibited in locker rooms, restrooms and classrooms. In other school locations, students are required to obtain permission before photographing or taking videos of any individual.~~
4. ~~Any use of cell phones and other electronic devices that violates any Board policy, administrative procedure or school rule is strictly prohibited. In addition, accessing, viewing, submitting, forwarding, downloading or displaying any materials that are defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing, bullying and/or illegal is prohibited.~~
5. ~~Student cell phones and other electronic devices may be subject to search if there is reasonable suspicion that a student is violating Board policies, procedures or school rules, or engaging in other misconduct. School administrators may confiscate electronic devices for as long as necessary to complete their investigation.~~
6. ~~Students violating these rules will be subject to discipline, which may include:~~
 - a. ~~Exclusion of the device from school for an extended period;~~
 - b. ~~Sanctions ranging from detention to expulsion from school depending upon the nature of the offense and the student’s disciplinary record.~~

Cross Reference: ~~JFCK – Student Use of Cellular Telephones and Other Electronic Devices~~
~~JIH – Questioning and Searches of Students~~
~~JICIA – Weapons, Violence, Bullying and School Safety~~
~~JICK – Bullying and Cyberbullying~~