

OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS

1. Parents' request to observe their child(ren), current program, or a potential placement must be made in writing at least five days in advance with the Special Education Director or Principal.
2. The Special Education Director or Principal shall contact the parent(s) for initial scheduling conversation within five (5) days of receipt of the parents' request.
3. When a parent requests an observation of his/her special needs student or program, the Special Education Director and Principal will give approval before the observation occurs. Such approval may only be withheld for those reasons outlined within law and DESE regulation.
4. The Special Education Director and Principal will work with the classroom teacher and the observer to set up the specifics of the observation (including, but not limited to, scheduling and placement of the observer in the classroom).
5. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. In order to minimize classroom or student disruption, the length of individual observation periods may be limited by administration.
6. If the observer is not the parent, the parent must sign a release for the individual to observe.
7. The number of observers at any one time may be limited by administration.
8. The observer will be informed that he/she is not to interfere with the educational environment of the classroom. If his/her presence presents a problem, he/she will be asked to leave. This notice is particularly important, since the presence of parents can influence both the performance of their child(ren) and those of others.
9. The observer will be asked to submit his/her report of the observation to the Principal and Special Education Director in advance of any follow-up TEAM meeting.

10. The observer will be informed that he/she is there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. He/she is not there to evaluate a teacher's ability to perform his or her contractual job duties.
11. The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff must be mindful of removing materials which may be part of students' records from plain view. The observer will be asked to sign a non-disclosure agreement.
12. A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period. The school administrator's (or designee's) observation summary will be placed in the student's special education file and provided to the parent(s) prior to any follow-up TEAM meeting. .

LEGAL REF.: MGL 71B:3
Massachusetts Department of Elementary and Secondary
Education Technical Assistance Advisory SPED 2009-2 dated
January 8, 2009

CROSS REF.: KI, Visitors to Schools

NOTE: The following quotes from the DESE Advisory are important points of understanding to the implementation of this policy.

“School districts and parents have reported that, typically, observations are between one and four hours. While useful as a general rule, the Department recommends that district policies and practices specify that the duration and extent of observations will be determined on an individual basis. Districts should avoid rigid adherence to defined time limits regardless of the student's needs and settings to be observed. The complexities of the child's needs, as well as the program or programs to be observed, should determine what the observation will entail and what amount of time is needed to complete it. Discussion between school staff and the parent or designee is a good starting point for resolving the issue.”

“The observation law states that districts may not condition or restrict program observations except when necessary to protect:

- the safety of children in the program during the observation;
- the integrity of the program during the observation; -
- and children in the program from disclosure by an observer of confidential or personally identifiable information he or she may obtain while observing the program

First Read: 10/20/09

Second Reading, first vote: 11/17/09

Final vote: 12/15/09