



Problem Resolution System Office
State Complaint Decision

Re: Intake PRS 13823
Student Reference: [REDACTED]
Letter of Finding

Introduction

On June 11, 2025, the parent, [REDACTED] (the "Complainant") filed a state complaint ("Complaint") with the Problem Resolution System Office ("PRS") of the Massachusetts Department of Elementary and Secondary Education (the "Department") related to [REDACTED] (the "Student") involving the Natick Public Schools (the "District"). PRS's review of this matter has identified this Complaint raises allegation(s) under Part B of the Individuals with Disabilities Education Act ("IDEA"), its implementing regulations, and/or state special education law or regulation(s).

Investigation Summary

In response to PRS 13823, the Department's investigation into this matter included the following steps:

- reviewed the Complaint
- provided the Complainant with the opportunity to submit additional information about the allegations
- requested a Local Response ("LR") from the District
- reviewed the LR and all information submitted by the District
- reviewed all information provided by the Complainant
- reviewed relevant state and federal special education laws, regulations, and guidance

Summary of Allegations

In an email from the Complainant on June 23, 2025 to the Department, the following information was received:

"[REDACTED] I just wanted to clarify that Executive Functioning services for 1x45 were not provided. All counseling sessions were delivered, but during EF service time."

PRS has made the adjustment from investigating counseling services to executive functioning, due to this information received.

PRS has the authority to investigate alleged non-compliance that occurred within one year prior to the date the complaint was received by the Department, in this case, June 11, 2025. The Department investigated:

1. Whether the District implemented the Student's IEP with fidelity, specifically, executive functioning 1X45/6-day cycle.

Findings of Fact

After an independent and complete investigation of all information, PRS makes the following findings of fact:

1. At the time of the Complaint, Student was a ■-year-old, ■th grader at Wilson Middle School (the "School") in the District receiving special education services. The Student qualifies for special education in the disability categories of:
 - a. Primary: Autism
 - b. Secondary: Health
2. The District sent an email on July 3, 2025. The email stated (in summary):

Hi [PRS Specialist]- I wanted to inform you that I engaged in a local agreement conversation with the ■ family yesterday and wrote and sent an agreement. If the family does not sign the agreement, I am writing to let you know that we are acknowledging non-compliance, as written in the agreement. Please let me know if a local report is required for acknowledging non-compliance. If the agreement is signed, I will promptly send it. Thanks, [Director of Student Services and Equity]

 - a. This email included a Local Agreement to the Complainant stating the following (in summary):

RE: [Student], [School]

On Tuesday, July 2, 2025, [Director of Student Services and Equity], met with [Parents] to address the following concern raised under PRS Complaint #13283: Whether the District implemented the Student's Individualized Education Program (IEP) with fidelity, specifically regarding the provision of counseling services scheduled at 1x45 minutes per 6-day cycle."

The District acknowledges that although the counseling services were provided, they were delivered during periods otherwise allocated for other services. As a result, while the Student did not lose access to counseling services, the Student did lose 45 minutes per cycle of skills development/academic support time over the course of the school year. To remediate this loss, the District is offering 23 hours of compensatory services to address the time missed.

3. The Department emailed the Complainant on July 17, 2025 to see if the District was correct in saying the Complainant was in agreement with the above proposed agreement. The Complainant responded by email on July 23, 2025 stating(in summary):
 - a. We have not accepted the District's offer of settlement.
4. Current Progress noted in the IEP dated January 2025:

Date	Subject	Current Progress
January 2025	Reading	<p>When given a short passage in █, [Student] independently used pre-taught strategies (highlighting and underlining) to analyze text to support inferential comprehension in 75% of opportunities. With teacher modeling, [Student] highlighted/underlined information to help support █ comprehension with teacher prompting, [Student] is working on highlighting the key information that will best support his inferential comprehension. █ requires an average of 3 prompts to use the stop and jot strategy to write down to make sure █ has all the key information. [Student] identified unfamiliar words while previewing a grade-level passages/text in Science and Language and Literacy in 75% of opportunities with two teacher prompts. [Student] tends to rush through different texts, thus requiring prompts to slow down and think about what █ is reading. [Student] accurately defined previously unfamiliar science and Language and Literacy vocabulary, with 80% accuracy, in two consecutive opportunities.</p>
	Writing	<p>[Student] used a graphic organizer to add details to his paragraph by including 3 elaborations, per reason with 85% accuracy with three teacher prompts. With teacher prompts, [Student] has accepted teacher feedback to go back to add elaborations to █ writing. █ independently finds places to add the elaborations once █ has been given the expectation. [Student] edits █ work for capitalization, punctuation, and spelling with 100% accuracy with an average of four teacher prompts in 100% of opportunities. [Student] thinks it is funny to make silly mistakes while █ is writing (i.e. misspelling people's names). [Student] tends to rush through the editing stage of █ writing, so that █ can turn in the assignment.</p>

		<p>When given a worksheet to grade other people's work, █ edits for capitalization, punctuation, and spelling errors with 80% accuracy.</p>
	<p>Social Emotional/Behavioral</p>	<p>This goal, shared by the School Social Worker and BCBA, is focused on increasing [Student's] cognitive flexibility as it relates to █ emotional resilience and pro-social behaviors across his day. Related to █ emotional skills, [Student] was achieving his previous benchmark around identifying the importance of pro-social behaviors and demonstrated that █ can do so in approximately 80% of prompted opportunities. [Student's] work on recognizing the importance of building and maintaining social relationships with both peers and adults continues to be an area for growth and █ was able to identify how "social consequences" result from unexpected behaviors in approximately 50% of prompted opportunities. In the moment, [Student] can often be dismissive of the impact of █ behavior and become stuck in █ thinking. [Student] often struggles in these moments to utilize a strategy or coping skill to regulate and/or change his behavior. At this current juncture, [Student] initiates work independently in 74.5% of opportunities and in 94.1% of opportunities with an adult prompt. Regarding core classes, █ initiates work independently in 69.2% of opportunities and in 90% with a prompt. █ completes work in 97.2% of opportunities and in 96.8% in core classes. At this current juncture, [Student] engages in an average of 0.1 instances of property destruction per day, 1 instance of off-task behavior at an average duration of 9 minutes (all in core classes), 0.8 instances of aggression, 2.8 inappropriate comments, and 0.0 instances of personal space invasion. [Student's] average inter-response time between work initiation and requiring a staff prompt is 25.925 minutes. However, there is great variability here, with some instances being an entire class period (50 minutes), and others being less than 5 minutes. Currently, [Student] requires an average of 1.25 prompts per class period to complete work. Currently, [Student] independently requests a coping or calming strategy in 52.9% of</p>

		opportunities independently and in 70.6% of opportunities with a staff prompt.
	Executive Functioning	[Student] made weekly homework plans to study for quizzes, and to complete nightly homework, on time, in an average of 75% of opportunities with an average of two adult prompts per day. [Student] met daily with an adult to map out [redacted] plan for long term assignments to help him complete the assignments on time. [Student] completed graphic organizers in Language and Literacy and social studies to organize [redacted] thinking for his written assignments with 75% accuracy across three consecutive sessions with 4+ prompts. [redacted] needs prompts to initiate the filling out [redacted] organizer and prompts to complete it. [redacted] requires multiple prompts to make sure that all components of the organizer are filled out with as much detail as possible with accurate information. [Student] only uses checklist and rubrics when prompted and requires 3-4 prompts review the rubric and the assignment to make sure [redacted] has all the requirements.

5. Executive Functioning goal and benchmarks in the Active IEP dated January 14, 2025 to January 13, 2026 are as follows:

Annual Goal/Target What skill(s) will the student be expected to attain by the end of this IEP's timeframe?	Criteria What measurement will be used to determine whether the goal has been achieved?	Method How will progress be measured?	Schedule How frequently will progress be measured?	Person(s) Responsible Who will monitor progress?
[redacted] will be able to pre-taught strategies to organize his materials to help him study for assessments, hand in homework on time and meet the requirements of an assignment	in 100% accuracy	Observation	End of the IEP	SE Classroom Teacher
Short-term objectives and/or benchmarks (intermediate steps between the baseline and the measurable annual goal)				
[redacted] will be able to complete and turn in homework (nightly, long-term assignments, and studying for tests and quizzes) on time by creating a time-management schedule to allocate dedicated time for the assignment, with no more than one teacher prompt in 100% of opportunities by End of the IEP as measured by Work Samples.				
With no more than one teacher prompt, [redacted] will use pre-taught strategies (i.e., graphic organizers, checklist, and rubrics) to make sure he has met all the requirements of an assignment with 100% accuracy across three consecutive opportunities by end of the IEP as measured by Work Samples.				

6. Active IEP Service Delivery grid:

education settings before considering other options.

Goal Number(s)	Type of Service(s)	Provided by List job title	Location	Frequency/Duration __ X __ minutes per 6 - day cycle		Start Date	End Date
A. Consultation (Indirect Services to School Personnel and Parents)							
All	Consultation	Special ed teacher, OT	Special Education Classroom	1 Time	20 min/month	03/19/2025	01/13/2026
All	Consultation	Special ed teacher, Gen. Ed teacher, SLP, BCBA, Psych, and Paraprofessional	Special Education Classroom	1 Time	10 min/cycle	03/19/2025	01/13/2026
All	Consultation	BCBA and Special Education Teacher	Special Education Classroom	1 Time	30 min/month	03/19/2025	01/13/2026
ALL	Consultation	BCBA and Paraprofessional	Special Education Classroom	1 Time	30 min/month	03/19/2025	01/13/2026
3	Consultation	Social Worker and General Education Teacher/Special Ed. Teacher	General Education Classroom	2 Times	30 min/month	03/19/2025	01/13/2026
B. Special Education and Related Services in General Education Classroom (Direct Service)							
1, 2, 5	Specialized Instruction - Reading and Writing	Special Education Teacher & Paraprofessional	General Education Classroom	Daily	45 minutes/per cycle	03/19/2025	01/13/2026
1,2,3,4,5	Social Emotional/ Behavioral Support	Paraprofessional	General Education Classroom	Daily	260 minutes	03/19/2025	01/13/2026
C. Special Education and Related Services in Other Settings (Direct Service)							
1, 2, 3, 4, 5	Executive Functioning Skills	Special Education Teacher & Paraprofessional	Special Education Classroom	Daily	45 min/cycle	03/19/2025	01/13/2026
4	Speech and Language Services	Speech Pathologist	Special Education Classroom	1 Time	45 min/cycle	03/19/2025	01/13/2026
3,4	Counseling service	Social Worker	Social Worker's office	1 Time	45 min/cycle	03/19/2025	01/13/2026

7. Student June 2025 end of year report card:

24-25 Wilson Middle School			
[Redacted]	A		
[Redacted]	A+	A	A
[Redacted]	B	B	B
[Redacted]		B	C-
[Redacted]	C		
[Redacted]	B	B	C+
[Redacted]	A+		
[Redacted]	A+	B-	B-
[Redacted]	B+		
[Redacted]	A	A-	C+
[Redacted]		B+	
[Redacted]	A	A	A
[Redacted]			A

8. Progress Report, dated June 18, 2025, for the Student's executive functioning goal:

Goal	Status	Current performance
Executive Functioning		<p>January 2025: [Student] made weekly homework plans to study for quizzes, and to complete nightly homework, on time, in an average of 75% of opportunities with an average of two adult prompts per day. [Student] met daily with an adult to map out his plan for long term assignments to help [redacted] complete the assignments on time. [Student] completed graphic organizers in Language and Literacy and social studies to organize his thinking for [redacted] written assignments with 75% accuracy across three consecutive sessions with 4+ prompts. [redacted] needs prompts to initiate the filling out [redacted] organizer and prompts to complete it. [redacted] requires multiple prompts to make sure that all components of the organizer are filled out with as much detail as possible with accurate information. [Student] only uses checklists and rubrics when prompted and requires 3-4 prompts to review the rubric and the assignment to make sure [redacted] has all the requirements.</p>
		Goal:
		<p>[Student] will be able to organize his thinking for writing assignments and [redacted] materials to help [redacted] study for assessments by using graphic organizers, calendars, checklist in 80% of opportunities by End of the IEP as measured by Observation.</p>
		Benchmarks and Data
	Progressing	<p>[Student] will be able to complete and turn in homework (nightly, long-term assignments, and studying for tests and quizzes) on time by creating a time-management schedule to allocate dedicated time for the assignment, with no more than one teacher prompt in 100% of opportunities by End of the IEP as measured by Work Samples.</p> <p>5.1: Progressing: [Student] was able to complete and turn in 76% of homework assignments, including long term assignments and studying, based on data collected throughout the third trimester. [Student's] ability to complete homework on time fluctuated during this trimester. In late May, [Student] passed in 6/13</p>

	Progressing	<p>[Student] will be able to independently fill in a graphic organizer (i.e., web, story map, chart, or template with prompting words) to organize his thinking for written assignments with 80% accuracy across three consecutive opportunities by End of the IEP as measured by Work Samples.</p> <p>5.2: Progressing: [Student] was able to fill in graphic organizers in [REDACTED] and [REDACTED] classes with 70% accuracy in three consecutive opportunities. [Student] needed at least three adult prompts in order to initiate and complete his work with the graphic organizers. [Student] was able to fill in a graphic organizer for language and literacy with 1 adult prompt, but he needed four adult prompts in order to fill in a graphic organizer for Social Studies. [Student] continues to benefit from checking in with a teacher to make sure all pieces of the graphic organizer are filled in with accuracy.</p>
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Conclusions

Based on the Findings of Fact outlined above, PRS has reached the following determinations:

Conclusion to Allegation No. 1: The Department investigated and reviewed the District’s acknowledgement of non-compliance with 34 CFR §300.17 and 603 CMR 28.05(7)(b). The District sent a Local Agreement offer to the Complainant which included an offer of compensatory services for the Student regarding executive functioning, or in the alternative, an offer of monetary compensation to the parents.

The Department reviewed the evidence and found the Student is making effective progress in school despite non-implementation and has received FAPE. His loss of this service did not impact his ability to access curriculum based upon the analysis of data presented.

The Department finds the District out of compliance with 603 CMR 28.05 (7)(b) and in compliance with 34 CFR §300.17.

Corrective Action Ordered by the Department

1. By September 12, 2025, the District will provide a memorandum to the Wilson Middle School service providers as it relates to the District’s obligations for IEP implementation as stated in the service delivery grids of students, with no “combining of services” by a provider.

By **September 30, 2025**, the District will provide the Department with a copy of the memorandum, with the distribution list including the names and titles of the staff in receipt.

A copy of your submission must also be sent to Complainant, unless directed otherwise by PRS. Please return all required corrective action submissions pursuant to these findings to PRSCAP@mass.gov.

Closing

PRS decisions are final and may not be appealed. If either party believes that any findings of fact that impacts the outcome and conclusions contradicts documentation provided during the course of this investigation, the party may consider the procedure outlined in this [guide](#).

Either or both of the parties may seek mediation or a due process hearing through the [Bureau of Special Education Appeals](#) (BSEA) on the same issues addressed by PRS. A due process hearing would be a new proceeding and not for the purpose of reviewing PRS's decision. However, the BSEA's due process hearing decision would be binding on the parties and may be appealed.

As of August 29, 2025, this decision is final.

Recipients:

Melissa Spash, Superintendent, Natick Public Schools
Erin Miller, Special Education Director, Natick Public Schools
[REDACTED], Complainant