



COMPREHENSIVE AUDIT OF SPECIAL EDUCATION SERVICES

January-March 2026



Introduction

Dear Malden Public Schools Community,

On November 10, 2025, the Malden School Committee unanimously voted to request that the “Malden Public School District conduct a comprehensive audit of its Special Education services. The purpose of this audit will be to evaluate the delivery, consistency, and effectiveness of services provided to students with disabilities, as outlined in their Individualized Education Programs (IEPs). The audit should include a review of service grids, staffing levels, compliance with state and federal regulations, and collaboration practices between educators, service providers, and families. The findings and recommendations of this audit shall be presented to the School Committee no later than April 6, 2026.”

The district has sought to compile the data for this comprehensive audit internally while simultaneously conducting a comprehensive review of its special education programming with the help of an external organization (EmpowerED). Results of the external special education program review are being compiled in a separate report, which contains the review of “collaboration practices between educators, service providers, and families” to be included as part of the audit as well as the recommendations from the audit as a whole.

The purpose of this report is to provide the internal analysis and related legal context related to the portion of the audit examining “review of service grids, staffing levels, compliance with state and federal regulations.” It should be read as a complement to the EmpowerED review.

We are committed to thoroughly reviewing the findings of these reports so that we can continue to improve in doing right by all students with disabilities in the Malden Public Schools.

Sincerely,

Pamela Macdonald
Assistant Superintendent
for Student Services

Timothy Sippel, Ed.L.D.
Superintendent of Schools



Data Reviewed

District staff have compiled the compliance data listed below. This report will outline the results of this data compilation as well as describe the legal context around each set of data.

- [District-Wide IEP Services Review](#) (pgs 3-9)
 - Percentage of students for which we are in compliance for each service
- [District-Wide Special Education Staff Licensure Review](#) (pgs 9-11)
 - Percentage of staff with full licensure or provisional licensure (hardship waiver)
- [District-Wide Evaluation Timeline Review](#) (pgs 12-13)
 - Percentage of evaluations completed in compliance with the 30- school day timeline
- [District-Wide Instructional Group Size Review](#) (pg 13-15)
 - Percentage of classrooms in compliance with instructional group size regulations

Data for this review was compiled between February 1 and March 31, 2026. Unless otherwise noted, data referenced in this report is as of the date the data was compiled within the previously stated timeline.

Services Received Per IEP Grid

Legal Requirements

To be in compliance with state and federal law, school districts must provide each of the services on a student's IEP grid in the settings and frequency stipulated. If there is any delay in providing these services, then the school must notify the caregiver and agree to appropriate compensatory services.

603 CMR 28.06(2)(d)

2. The school district shall not delay implementation of the IEP due to lack of classroom space or personnel, shall provide as many of the services on the accepted IEP as possible and shall immediately inform the parent in writing of any delayed services, reasons for delay, actions that the school district is taking to address the lack of space or personnel and shall offer alternative methods to meet the goals on the accepted IEP. Upon agreement of a parent, the school district shall implement alternative methods immediately until the lack of space or personnel issues are resolved.

Malden Compliance

To review Malden's compliance, our staff confirmed that students were receiving services as outlined on their IEP grids and reported the percentage of students for whom services were in compliance for each service at each school.



Team Chairs at each school reviewed the IEP services listed below and counted instances where a service appeared on a student's IEP grid. Team Chairs then reviewed the number of students receiving each of the listed services and compared that count to those who had the services on their grid.

Grid services at the K-8 schools and High School include:

- Academic - Push in
- Academic - Pull out
- Sub-Separate time/class
- Speech & Language
- Occupational Therapy
- Counseling
- Physical Therapy
- Behavior Services

Grid services at the Early Learning Center include:

- Integrated Preschool Class
- 1/2 Day Preschool
- Sub-separate Classes
- Speech
- OT
- PT
- Behavior Services

At the Early Learning Center and each of the K-8 schools (Beebe, Ferryway, Forestdale, Linden, and Salemwood), 100% of students who had a given service listed on their IEP grid were able to receive that service. All of this data represented service delivery during the time of data collection (February 26 - March 11, 2026). It should be noted that there were other times during the 2025-2026 school year that this was not the case for all related services due to staff absences, the departure of staff, or other unforeseen circumstances.¹ The district notified parents when interruptions of service occurred and established agreements to provide compensatory services as needed. During the time frame collected, Malden Public Schools was fully staffed and able to provide 100% of related service in the PreK-8 schools.

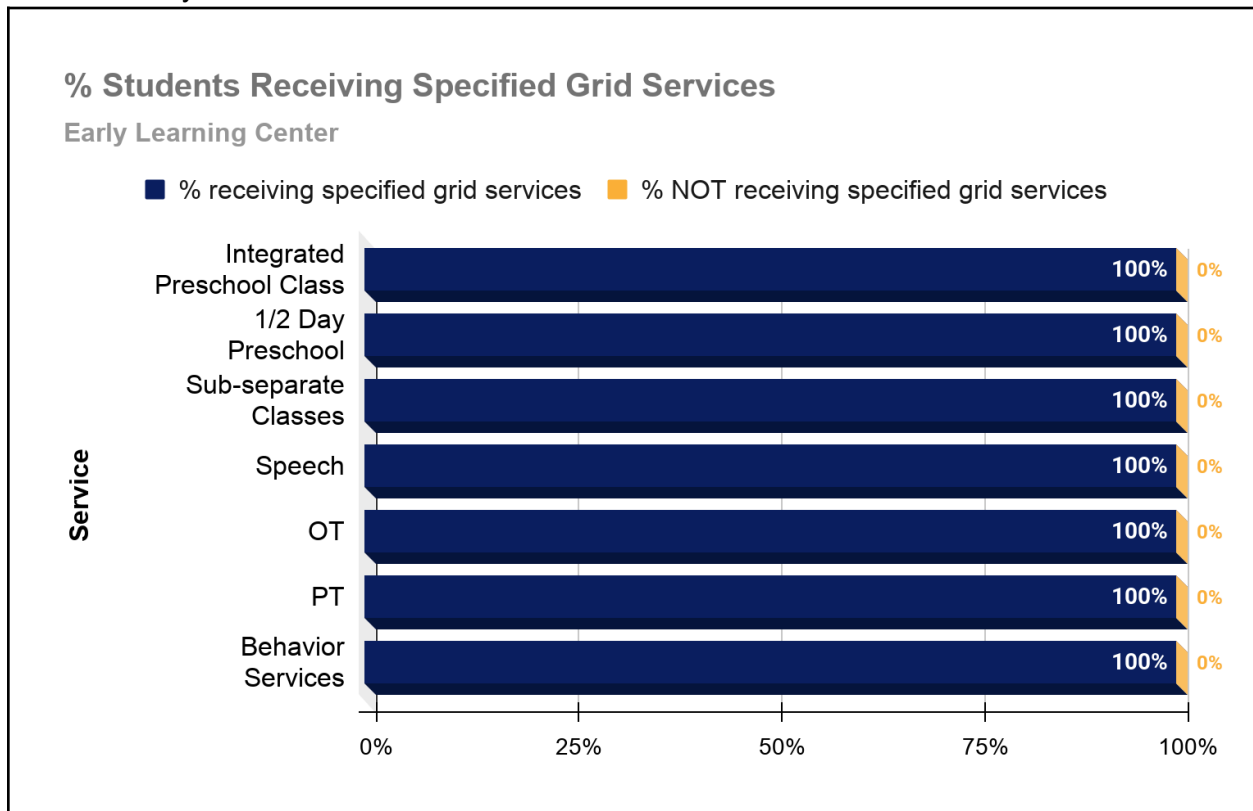
At the High School, 100% of students who had services Academic Push-in, Academic Pull-out, Sub-separate classes, Counseling, Physical Therapy, and Behavioral Services listed on their IEP grid were able to receive those services. When looking at Speech services, 71% of students were receiving the speech services required on their IEP grids. Families of students who have

¹ For example, in the fall of 2025, there was a lapse in Behavior Services provided at Malden High due to a staff member on leave. At the time, families of students who missed services were notified and offered compensatory services to make up for any missed services. Currently all Malden High students with Behavior Services on their IEP grid are receiving services.



missed services had previously been notified of the missed services and had been offered compensatory services as applicable to make up for any missed services. When looking at Occupational Therapy services, 0% of students were receiving the occupational therapy services listed on their IEP grid. Similarly to speech, families of students who have missed services had previously been notified of the missed services and had been offered compensatory services as applicable to make up for any missed services.

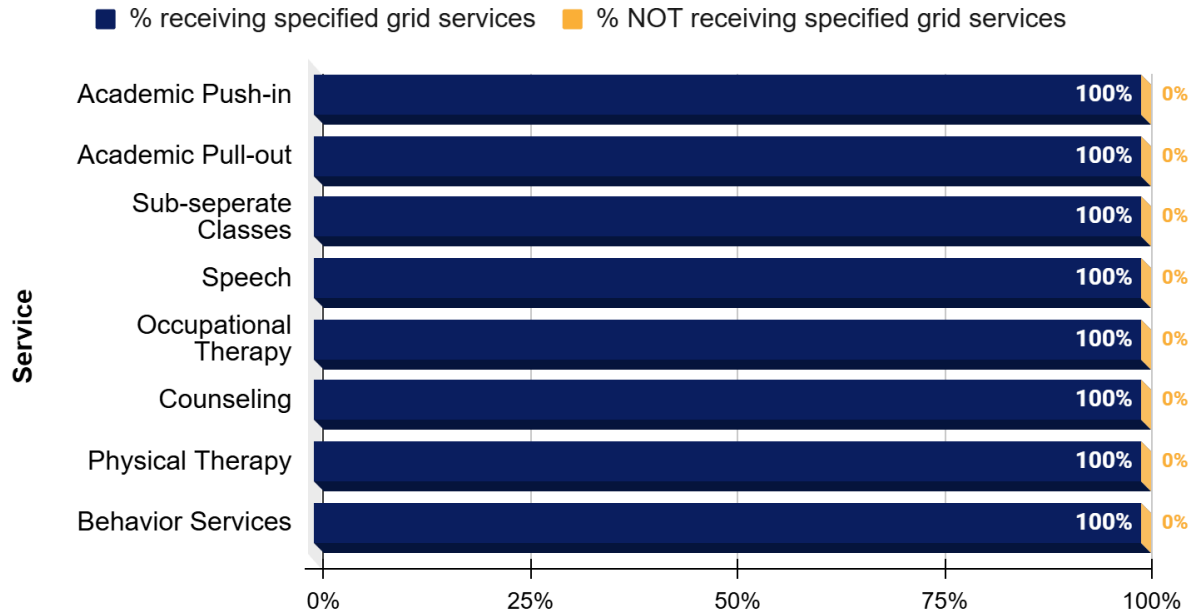
See charts below to view the percentage of students receiving their allocated services by service and by school and district-wide.





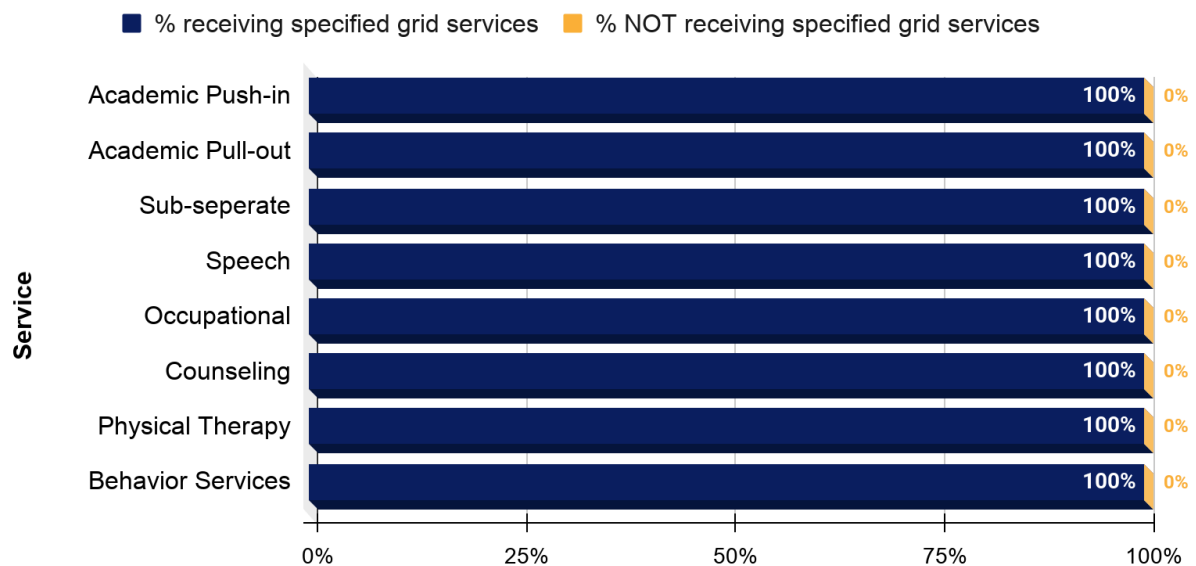
% Students Receiving Specified Grid Services

Beebe School



% Students Receiving Specified Grid Services

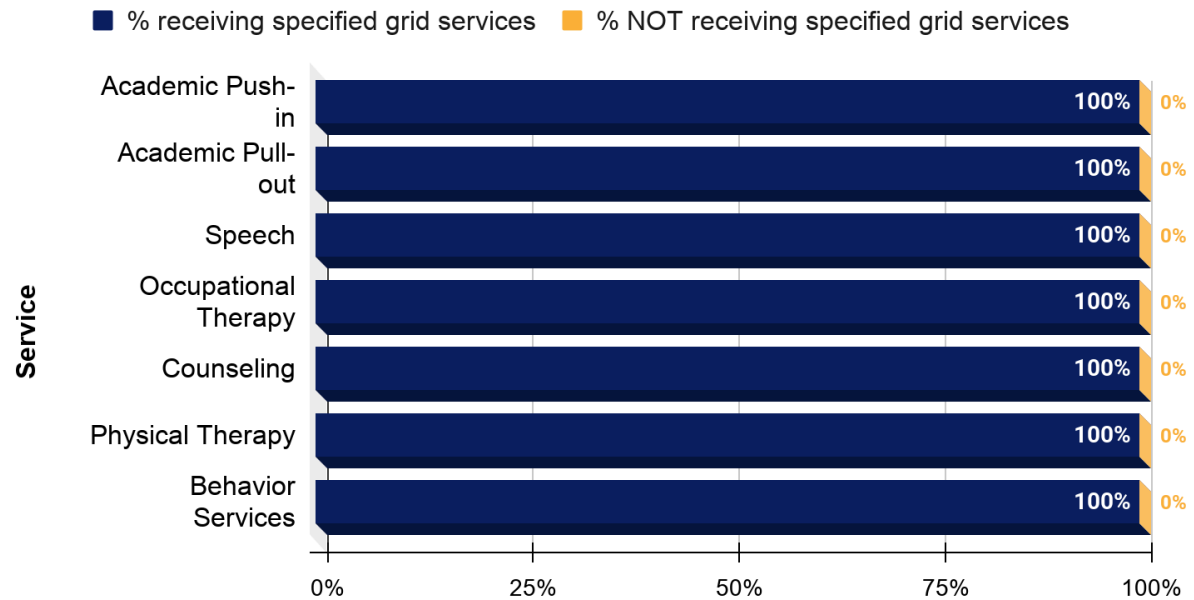
Ferryway





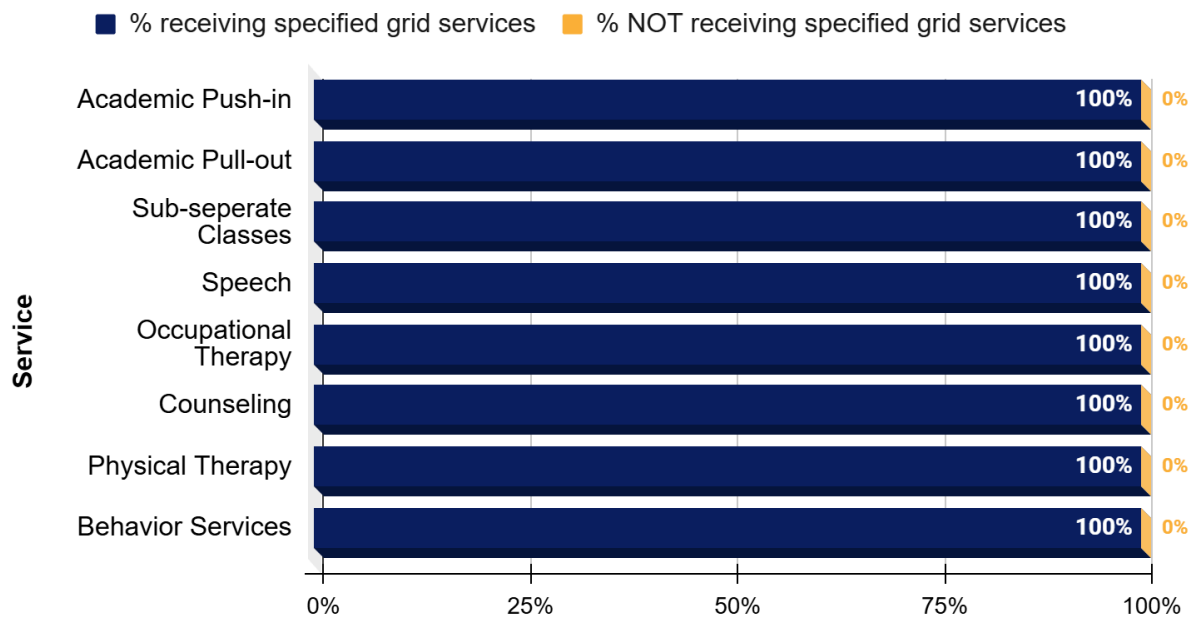
% Students Receiving Specified Grid Services

Forestdale School



% Students Receiving Specified Grid Services

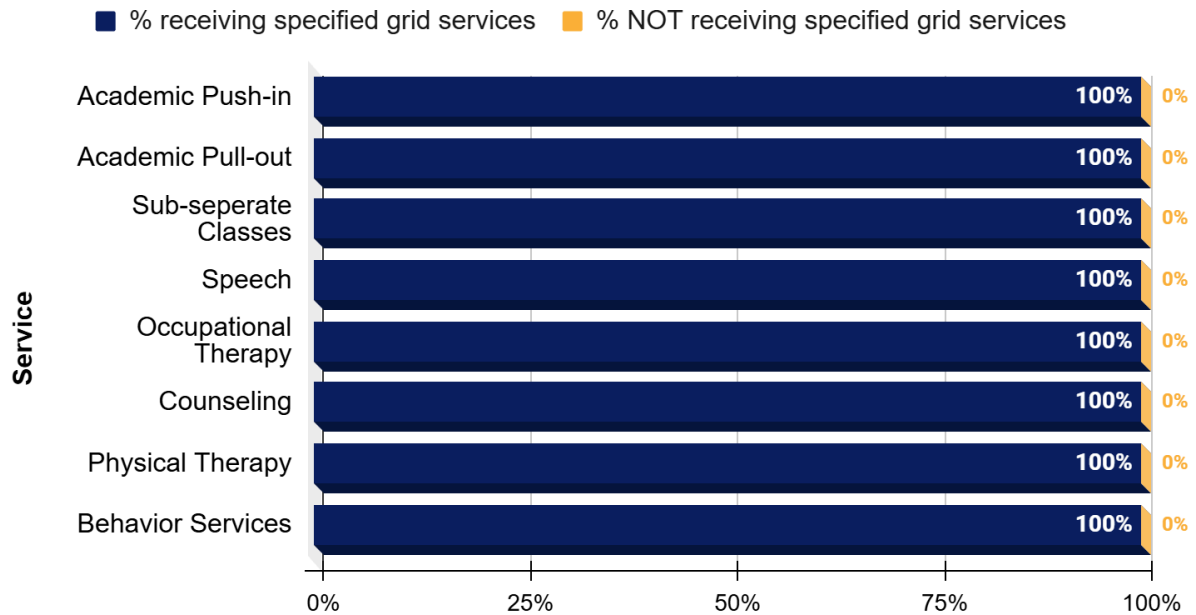
Linden School





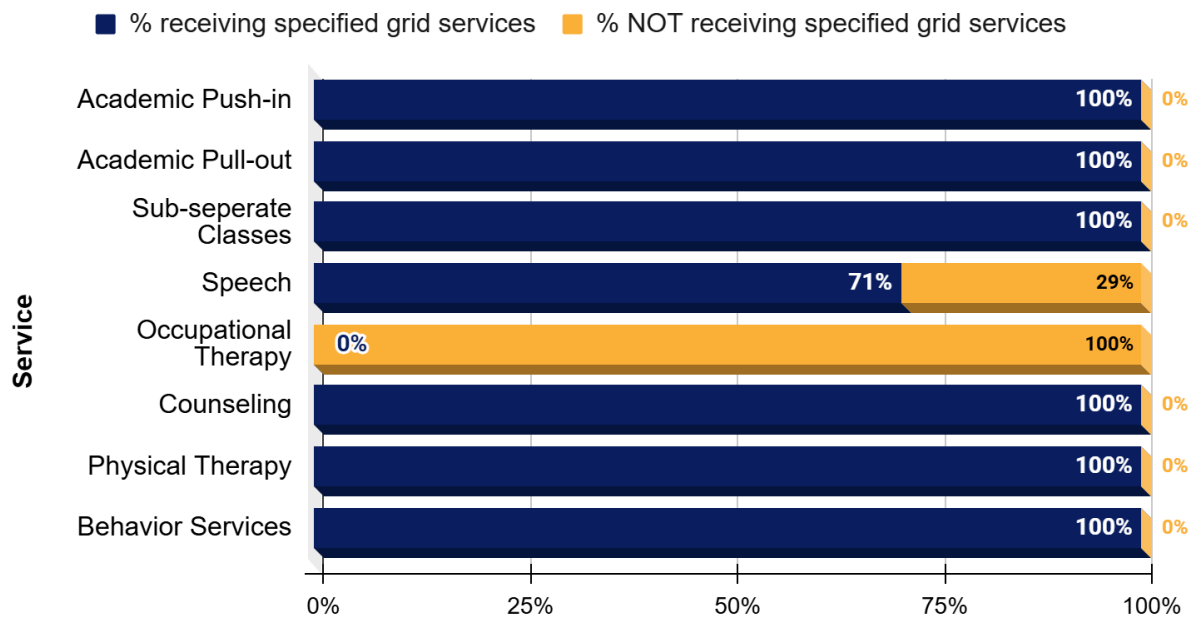
% Students Receiving Specified Grid Services

Salemwood School



% Students Receiving Specified Grid Services

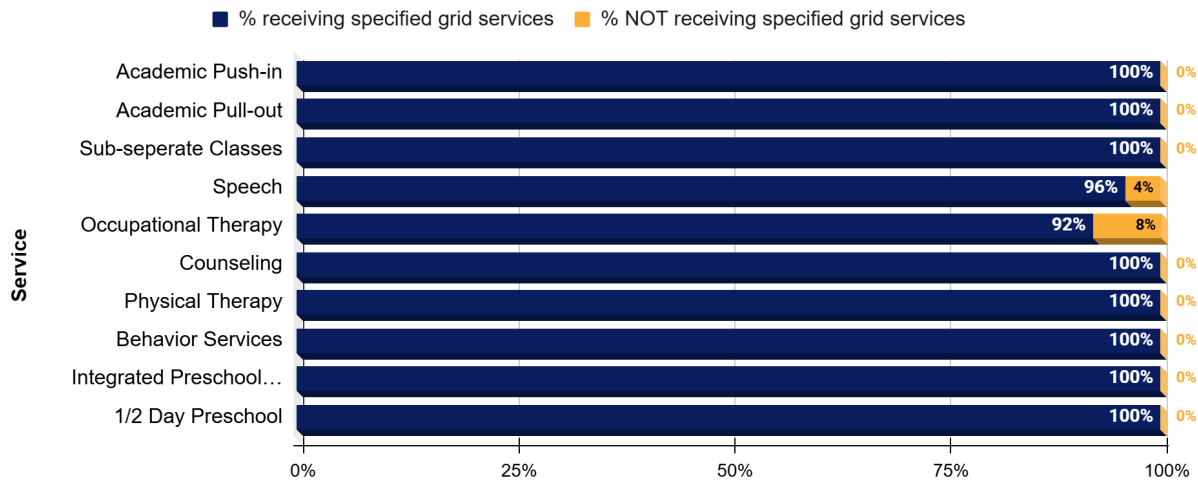
Malden High School





% Students Receiving Specified Grid Services

District-Wide



Licensure Status of Special Education Staff

Legal Requirements

DESE requires licensure for all Special Education Teachers, Speech Language Pathologists, Occupational Therapists, Physical Therapists, Psychologists, Counselors, and Board Certified Behavior Analysts. Schools are required to hire licensed educators and professionals into these roles and those employed are required to maintain licensure and should not let licensure expire.

603 CMR 7.15 (09)

(a) Legal Employment. To be eligible for employment by a school district in any position covered by a license issued under 603 CMR 7.00, a person must have been granted a license by the Commissioner that is appropriate for the role.

If a school district has no qualified applicants for a position with licensure, they may hire an unlicensed educator and request a hardship waiver from DESE. Any educator hired with a waiver is hired into a one-year position. Schools reserve the right to post their position for the next school year to try to find a licensed educator to fill the role.



DESE Guidance

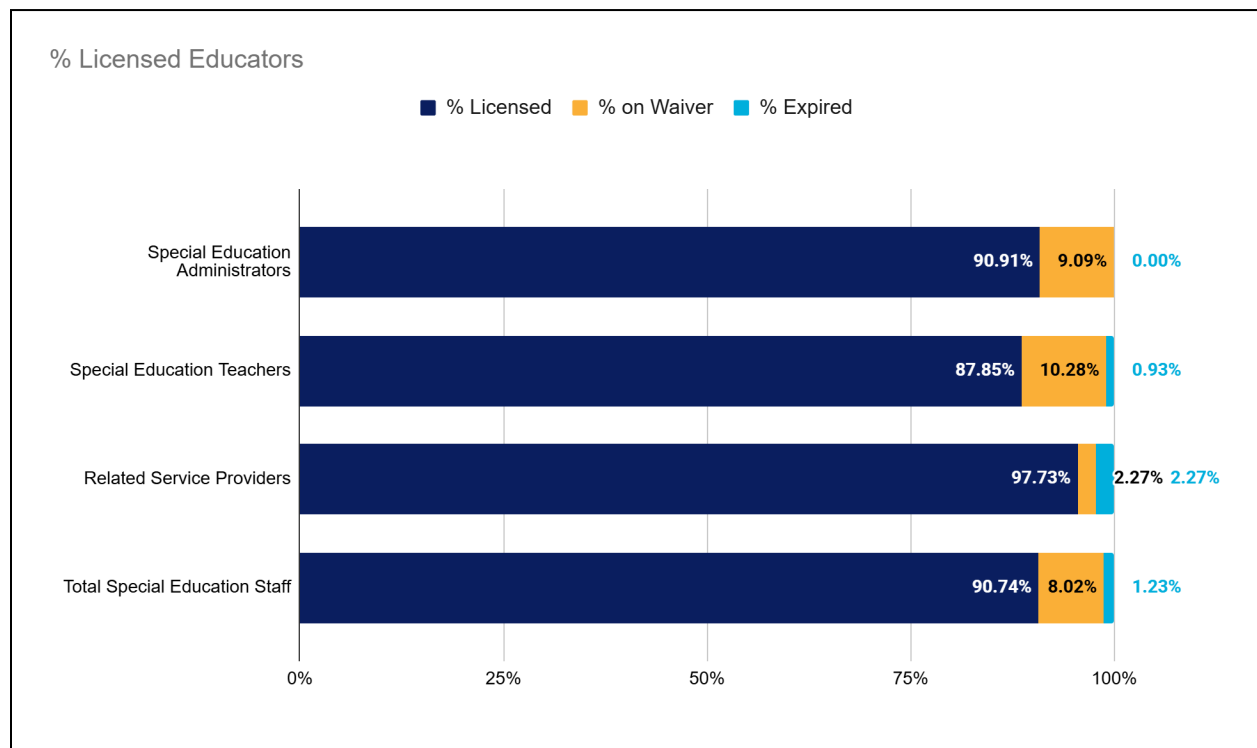
In the event that an employer has not been able to recruit a licensed educator for a particular position, they may consider applying for a hardship waiver to permit employment of an educator who does not yet hold the appropriate license. The hardship waiver is an exemption from the requirement for one (1) school year to employ an unlicensed individual.

Malden Compliance

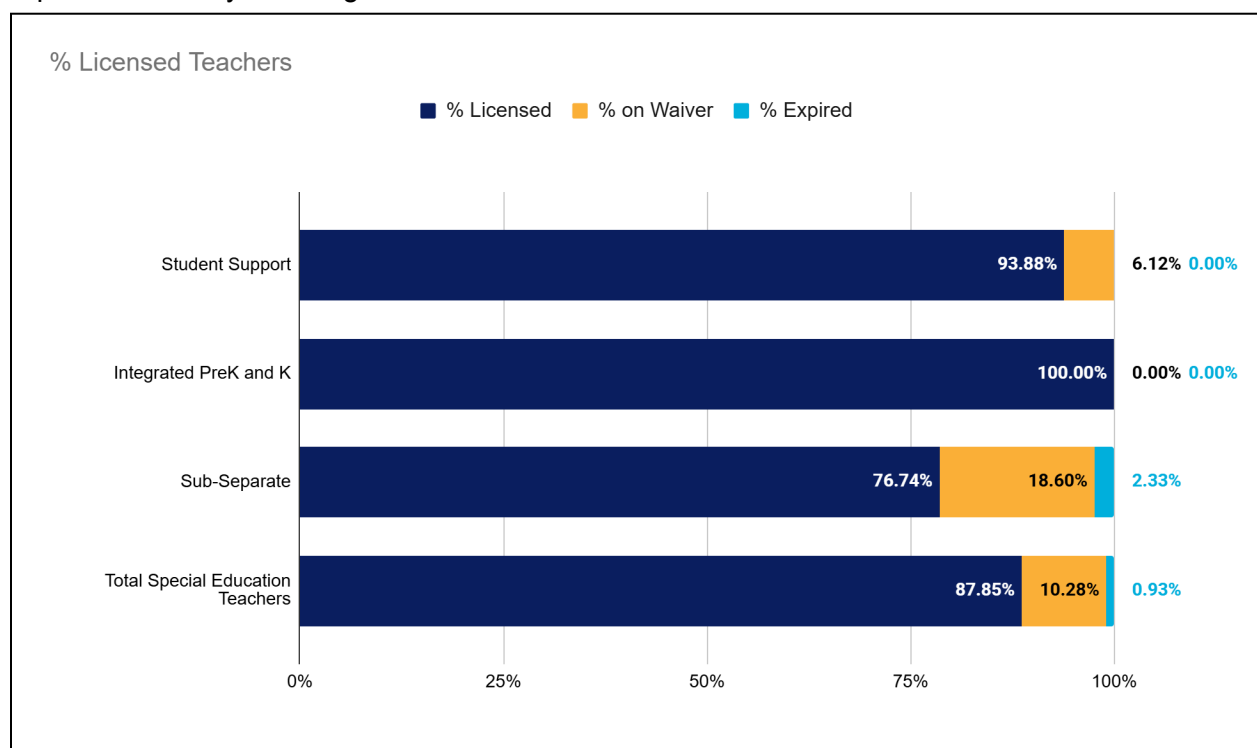
Malden Public Schools' Human Resources department compiled a complete list of special education staff in roles requiring licensure and determined their current licensure status. Staff were sorted into job categories: Special Education Administrators, Special Education Teachers, and Related Service Providers. Special Education Administrators include Team Chairs and Coordinators. Special Education Teachers include Academic Support/Inclusion Teachers, Sub-separate Teachers, and Integrated preschool and Kindergarten teachers. Related Service Providers include Occupational Therapists, Physical Therapists, Psychologists, Counselors, and Board Certified Behavior Analysts.

In the chart below you can see the percentage of educators fully licensed, on a waiver, or on an expired license by job category as of March 11, 2026.

The list of 162 staff included 147 educators or professionals who were fully licensed at the time the data was compiled. Of the remaining 15 educators, 13 were on a waiver from DESE and 2 had their license expire during the course of the school year. In the chart below you can see the percentage of educators fully licensed, on a waiver, or on an expired license by job category.



The second chart breaks down the percentage of teachers fully licensed, on a waiver, or on an expired license by teaching role.





Evaluation Timeline

Legal Requirements

Massachusetts general law requires that all students be evaluated for special education needs within 30 school days of a parent consenting to evaluation.

603 CMR 28.04

(2) Initial Evaluation. Upon consent of a parent, the school district shall provide or arrange for the evaluation of the student by a multidisciplinary team within 30 school days.

Malden Compliance

Malden's special education program managers reviewed all referrals for special education evaluation submitted between October 1 and December 31, 2025. This totaled 41 cases. For each of these cases, the evaluation consent date was compared to the evaluation completed date to determine if any of the evaluations took longer than the legally required 30 school days.²

Of the 41 cases district-wide, 93% were completed within the legally required 30 school days. In all the cases of non-compliance, Malden does not anticipate receiving an official finding of non-compliance from DESE as the students either had sufficient absences during the evaluation or their parent failed to produce the child for the evaluation. Both of these are valid reasons that allow a district to take more than 30 days to complete an evaluation.

At the school level, the Early Learning Center had 91% of their evaluations completed within the timeframe and Beebe had 82% of their evaluations completed within the time frame. At Ferryway, Forestdale, Linden, Salemwood, And Malden High, 100% of evaluations were completed within the timeframe.

School	% of evaluations completed within 30 school days
District-wide	93%
Early Learning Center	91%
Beebe	82%
Ferryway	100%

² The evaluation completed date is considered to be the date that the last evaluation assessment was completed by the school district, not the date the evaluation meeting was conducted.



Forestdale	100%
Linden	100%
Salemwood	100%
Malden High School	100%

Instructional Group Size

Legal Requirements

Massachusetts general law sets requirements related to staff to student ratios in special education classroom settings. Requirements differ based on the percentage of a student's school day that a student is included in general education environments versus substantially separate environments.

603 CMR 28.06(6)

(c) Instructional grouping size requirements are maximum sizes and school districts are expected to exercise judgment in determining appropriate group size and supports for smaller instructional groups serving students with complex special needs. When eligible students are assigned to instructional groupings outside of the general education classroom for 60% or less of the students' school schedule, group size shall not exceed eight students with a certified special educator, 12 students if the certified special educator is assisted by one aide, and 16 students if the certified special educator is assisted by two aides."

(d) Eligible students served in settings that are substantially separate, serving solely students with disabilities for more than 60% of the students' school schedule, shall have instructional groupings that do not exceed eight students to one certified special educator or 12 students to a certified special educator and an aide.

(e) After the school year has begun, if instructional groups have reached maximum size as delineated in 603 CMR 28.06(6)(c) and (d), the Administrator of Special Education and the certified special educator(s) providing services in an instructional group may decide to increase the size of an instructional grouping by no more than two additional students if the additional students have compatible instructional needs and then can receive services in their neighborhood school. In such cases, the Administrator must provide written notification to the Department and the parents of all group members of the decision to increase the instructional group size and the



reasons for such decision. Such increased instructional group sizes shall be in effect only for the year in which they are initiated. The district shall take all steps necessary to reduce the instructional groups to the sizes outlined in 603 CMR 28.06(6)(c) and (d) for subsequent years.

Malden Compliance

Malden's special education program managers reviewed the number of students in all sub-separate and pull-out academic support classrooms as well as the corresponding number of staff (teachers and education support professionals) members in those same classrooms.

Malden has a total of 38 sub-separate classrooms across six schools. All 38 of these classrooms are in compliance with instructional group size regulations.

School	% Sub-separate Classrooms in Compliance
District-wide	100%
ELC	100%
Beebe	100%
Ferryway	100%
Linden	100%
Salemwood	100%
MHS	100%

At Malden High School, special education students are also placed in pull-out support classes to fulfill pull-out services as indicated on their IEPs. As these classes constitute a sub-separate environment, they are also subject to the instructional group size regulations.

The 2025 fall semester had 21 sections of pull-out support classes (including Learning Assistance Center, Numeracy Skills Workshop, and Literacy Skills Workshop). Each of these classes were in compliance based on staffing and enrollment during the fall semester.

	% Pull-Out Support Classrooms in Compliance
MHS Fall Semester	100%

During the spring semester, new special education students enrolled at MHS and other students were identified as needing support and were added to these classes. Staff was also moved to support the increase of students. As of March 31, 4 of these classes were out of compliance.



Families of the students in these four classes have been notified and administration also notified DESE. Administration is continuing to work to allocate staff to these classrooms to return them to compliance.

	% Pull-Out Support Classrooms in Compliance
MHS Spring Semester	81%

Including spring semester MHS pull-out support classes brings the district-wide total of sub-separate classes to 59. As of March 31, 93% of these 59 classes are in compliance with the group size regulations. For the 7% of classes out of compliance, Malden has properly notified families and the state according to legal requirements and is working to bring them into compliance.

	% Sub-separate and Pull-Out Support Classrooms in Compliance
District-wide	93%