

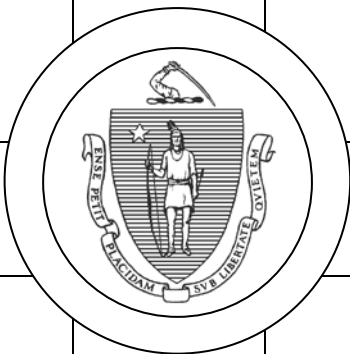


Massachusetts Department of
ELEMENTARY & SECONDARY
EDUCATION

APPROVED PRIVATE
DAY AND RESIDENTIAL
SPECIAL EDUCATION
SCHOOL PROGRAMS

PROGRAM REVIEW and
MID-CYCLE REVIEW
PROCEDURES

*Private School Program
Information Package*



2011-2012 School Year

**MASSACHUSETTS DEPARTMENT OF
ELEMENTARY AND SECONDARY EDUCATION
Approved Private Day and Residential Special Education School Programs
Program and Mid-cycle Review Procedures**

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PROGRAM REVIEWS

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY
EDUCATION
APPROVED PRIVATE DAY AND RESIDENTIAL
PROGRAM REVIEW PROCEDURES**

Web-based Approach to Monitoring

As one part of its Accountability System, the Department of Elementary and Secondary Education oversees compliance with education requirements in private day and residential special education programs through the Massachusetts Private Special Education School Program Review System. This program oversight system addresses selected monitoring requirements of 603 CMR 28.09, "Approval of Public and Private Day and Residential Special Education School Programs," and 603 CMR 18.00, "Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs." The Program Review System additionally encompasses selected requirements contained in 603 CMR 28.00, "Massachusetts Special Education Regulations," as well as IDEA-2004, M.G.L. c. 71B and civil rights provisions that are pertinent to Approved Private School Programs.

The Department's 2011-2012 approved private school program schedule of Program and Mid-cycle Reviews is posted on the Department's web site at <http://www.doe.mass.edu/pqa/review/psr/6yrcycle.html>.

The Department piloted a new web-based approach to comprehensive monitoring in the 2010-2011 school year. In the 2011-2012 school year and continuing forward, all Program Reviews will be conducted using this approach. The web-based monitoring system (WBMS) allows both programs and the Department to submit, review and exchange documents and information through the Department's security portal. This new approach combines familiar elements from the standard Program Review procedures in combination with new features that strengthen accountability and oversight on a continuous basis. The WBMS has already been successfully used in conducting the Department's public school monitoring.

Criteria: The program review criteria selected for each WBMS Program Review begins with the agency conducting a self-assessment by private school program across all monitoring criteria. Program Quality Assurance, through its Desk Review procedures, examines the self-assessment submission and determines which criteria will be followed up on through onsite verification activities.

Team: Depending upon the scope of onsite activities that have been identified based on the Department's desk review of the agency's self-assessment, a 2-3 member Department team will conduct a 2-3 day onsite Program Review.

WBMS Methods: Self-Assessment Phase: This is a requirement for all agencies participating in the web-based monitoring system and is completed in the year prior to the onsite review.

- Agency review by private school program of documentation for required elements including document uploads.
- Agency review by private school program of a sample of student records selected and a sample of personnel records selected.

Upon completion of these portions of the self-assessment, it is submitted to the Department for review.

Desk Review Phase: The chairperson assigned to each agency reviews the responses by the private school program to questions regarding the critical elements for appropriate policies, procedures, and practices, as well as actual documents and data submissions by criteria. The student record review data, personnel record review data, and explanatory comments are examined. The outcome of this review, along with 3-year trend data from the Problem Resolution System, and required notifications to the Department is used to determine the scope and nature of the Department's onsite activities.

Onsite Verification Phase: This includes activities selected from the following:

- Interviews of administrative, instructional, and other staff consistent with those criteria selected for onsite

verification.

- Interviews of parent representatives and other telephone interviews as requested by other parents or members of the general public.
- Review of student records and staff records: The Department selects a sample of student and personnel records from those the agency reviewed by private school program as part of its self-assessment to verify the accuracy of the data. The Department also conducts an independent review of a sample of student and staff records that reflect activities conducted since the beginning of the school year. The onsite team will conduct this review, using standard Department procedures, to determine whether procedural and programmatic requirements have been implemented.
- Surveys of parents of students with disabilities: Parents of students with disabilities whose files are selected for the record review, as well as the parents of an equal number of other students with disabilities, are sent a survey that solicits information regarding their experiences with the agency's implementation of special education, related services, and procedural requirements by its private school programs.
- Observation of classrooms and other facilities: The onsite team visits a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

Report: The report will be based on a review of the written documentation regarding the operation of the school's programs and the information gathered from the Onsite Verification Phase. A Draft Report of Comments will be issued via the WBMS. Agencies may respond to the factual accuracy of the report within 10 business days.

A Final Report will then be issued via the WBMS and in hard copy. The findings in the Final Report note those criteria that the team has found to be implemented in a commendable or substantially implemented manner and those not implemented or not fully implemented. Detailed findings for each program area describe determinations of the Department about the implementation status of each requirement (criterion) reviewed. The Department's Approved Private School Program Review Final Reports are posted on the Department's web site at <http://www.doe.mass.edu/pqa/review/psr/reports/default.html>.

Response: Where criteria are found not to be fully implemented, the private school program is required to propose corrective actions, within 20 business days of receipt of the final report, to bring those areas into compliance with the respective statutes or regulations. A program is required to incorporate the required corrective activities into its updated Application for Approval as required by 603 C.M.R. Section 28.09. Additionally, a program is encouraged to incorporate any required corrective action as approved by the Department into its internal improvement plans, including the program's professional development plans.

Program Approval: Upon issuance of the Final Report, the program will receive an updated approval status. For programs receiving a "Full Approval," this approval will remain in effect for three (3) years expiring on August 31st of the third year of approval. This approval will be contingent upon continued compliance with all regulations contained within 603 CMR 28.00, "Special Education Regulations," and 603 CMR 18.00, "Program And Safety Standards For Approved Public Or Private Day And Residential Special Education School Programs," as well as the Department's approval of all required corrective action plans. The Department may change this approval status at any point during the three-year period if circumstances arise that warrant such a change. For Approved Private School Programs receiving a "Provisional Approval" or "Probationary Approval," the Department will clearly indicate the reasons for the reduced approval, along with timelines for compliance and an expiration date of the approval status. The Department will review all required Corrective Action Plans and issue written determinations regarding approval or disapproval of each corrective action plan activity.

NOTE: For programs undergoing Program Reconstruction, Special Circumstances or Extraordinary Relief, even if the program has substantially met all of the requirements for a Full Approval, the program will remain on Provisional Approval until the completion of the Program Reconstruction, Special Circumstances or Extraordinary Relief process.

MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Approved Private School Program Review

<p>Document #1: Selected Program Review Criteria School Year 2011-2012</p>

AREA 1: DEMONSTRATION OF NEED AND CAPACITY

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>1.2 Program & Student Description, Program Capacity</p> <p>28.09(2)(a)(2); 28.09(2)(b)(2, 3, 7)</p>	<p>A narrative is provided that describes:</p> <ul style="list-style-type: none"> • Identified population of students to be served • Ages of students; • Educational characteristics; • Behavioral characteristics and • Philosophy, goals and objectives. <ul style="list-style-type: none"> • How each of the following educational services are implemented for the described student population of the program: <ul style="list-style-type: none"> ○ The content requirements of the Massachusetts Curriculum Frameworks; ○ Self-help, daily living skills; ○ Social/emotional needs; ○ Physical education; adapted physical education; ○ Pre-vocational, vocational, and career education; ○ English language support (for limited English proficient students) and ○ Other: any other specialized educational service(s) provided by the program. <ul style="list-style-type: none"> • How each of the following related services is or will be provided 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Written narrative addressing these requirements. Please address each item individually. <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>for the described student population of the program whose IEPs indicate such services:</p> <ul style="list-style-type: none"> ○ Transportation; ○ Braille needs (blind/visually impaired); ○ Assistive technology devices/services; ○ Communication needs (all students including deaf/hard of hearing students); ○ Physical therapy; ○ Occupational therapy; ○ Recreation services; ○ Mobility/orientation training; ○ Psychological services, counseling services, rehabilitation counseling services, social work services; ○ Parent counseling and training; ○ Health services, medical services and ○ Other (e.g., music therapy, sensory integration therapy). <ul style="list-style-type: none"> ● How the kinds of supplementary aids and services available for students in the program is or will be provided: <ul style="list-style-type: none"> ○ Supplementary aids and services are defined as “those aids and services – which are not ‘specially designed instruction or related services’ – which enable eligible students to be educated to the maximum extent possible with non-disabled students.” These may include aids and services that would typically be available in a less restrictive setting, and their availability would be helpful when the student can be placed in a less restrictive placement (e.g., adapted text, enlarged print, graph paper, peer tutor). <p>NOTE: Residential Programs reflect the 24-hour nature of the program and indicate how residential services and educational services will be fully coordinated.</p>	

AREA 2: ADMINISTRATION – APPROVALS, LICENSES AND CERTIFICATES DOCUMENTATION

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>2.2 Approvals, Licenses, Certificates of Inspection</p> <p>18.04(1); 28.09(2)(b)(5); 28.09(5) (b); 28.09(6) (b, c)</p>	<p>The program has current licenses, approvals, and certificates of inspection by state and local agencies.</p> <ul style="list-style-type: none"> • Safety Inspection. The program shall have an appropriate certificate of inspection from the Department of Public Safety or the local building inspector for each building to which students have access; • Fire Inspection. The program shall obtain a written report of an annual fire inspection from the local fire department; • Lead paint inspection (if facility was built prior to 1978). All buildings, residential or otherwise, utilized by children younger than six or with a mental age younger than six shall be free of lead paint; • Local Board of Health permit if providing food services; • Asbestos inspection or date when building was constructed and statement from appropriate authority that building is asbestos-free (if asbestos is present, then a containment plan is necessary); and • Statement regarding the non-existence of PCBs, or, if PCBs are present, then a containment plan. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> ○ Provide current copies of licenses, approvals, and certificates of inspection <p><u>Observation:</u> Posted certificates</p> <p><u>Interviews:</u></p> <ul style="list-style-type: none"> ○ Board of Directors ○ Executive Director ○ Director of Operations
<p>2.3 EEC Licensure</p> <p>102 CMR 3.00 (Residential Programs only)</p>	<p>The residential program has a current, full license from the Department of Early Education and Care (EEC) (per 102 CMR 3.00). Approval by EEC to operate a group care facility or a day care center (if applicable).</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Provide copy of EEC license <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director/Program Director • Residential Director • EEC Licensing Specialist

AREA 4: DISCLOSURE OF INFORMATION

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>4.2 Public Information and Postings</p> <p>28.09(6)(a, b, c, d, e); 28.09(2)(b)(4)</p>	<p>The following information must be publicly posted:</p> <ul style="list-style-type: none"> • First aid procedures; • Emergency procedures; • Emergency telephone numbers; • Current ESE approval certificate; and • Current EEC License if applicable. 	<p><u>Documentation</u></p> <ul style="list-style-type: none"> • Description of where the information is kept that relates to this criteria <p><u>Observation:</u></p> <ul style="list-style-type: none"> • All required postings. <p><u>Interview:</u></p> <ul style="list-style-type: none"> • All Staff
<p>4.4 Advance Notice of Proposed Program/Facility Change</p> <p>28.09 (5)(c)</p>	<p>The program shall develop and implement a written procedure describing how it notifies the Department of substantial changes within its program and identifying the person responsible for making this notification.</p> <p>The program notifies the Department using the Department’s Form 1 (http://www.doe.mass.edu/pqa/sa_nr) and also notifies school districts and parents of any new policies and procedures and/or changes in current policies and procedures.</p> <p>Prior to any substantial change to the program or physical plant, the program provides written notification of intent to change to the Department. Notice shall be given with sufficient time to allow the Department to assess the need for the proposed change and the effects of such change on the educational program. The program must also provide written notification to the Department of any sudden and/or unexpected changes that may impact the overall health or safety of students and/or the delivery of services required by IEPs.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of the program’s written procedures for notifying the Department of substantial changes. within the program, including the contact person responsible for providing such notification, in policies and procedures manual <p><u>Form 1 Submissions</u></p> <ul style="list-style-type: none"> • Have Form 1 submissions available onsite. <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Program Director • Education Director • Residential Director • Director of Operations
<p>4.5 Immediate Notification</p>	<p>The program shall develop and implement a written procedure describing how it notifies all appropriate parties of serious incidents</p>	<p><u>Documentation:</u></p>

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
18.03(10); 18.05(7); 28.09(12) (a, b)	<p>within the program and identifying the person responsible for making this notification.</p> <p><u>For ALL students (Massachusetts and Out-of-State students)</u> The program makes immediate notification to the parent, the public school district special education administrator, and to any state agency involved in the student’s care or placement (by telephone and letter), and the Department of Elementary and Secondary Education (by telephone and Form 2) of the following incidents:</p> <ul style="list-style-type: none"> • Death of a student; • Filing of a 51-A report with DCF, or a complaint to the Disabled Persons Protection Commission against the school or a school staff member for abuse or neglect of a student; • Any action taken by a federal, state or local agency that might jeopardize the school’s approval with the Department; and • Any legal proceeding brought against the school or its employee(s) arising out of circumstances related to the care or education of any of its students regardless of state of residency. <p><u>For Massachusetts Students Only:</u></p> <ul style="list-style-type: none"> • The hospitalization of a Massachusetts student (including out-patient emergency room visits) due to physical injury at school or previously unidentified illness, accident or disorder which occurs while the student is in the program; • Massachusetts student injury resulting from a motor vehicle accident during transport by school staff (including contracted staff) which requires medical attention; • Massachusetts student serious injury requiring emergency medical intervention resulting from a restraint • Massachusetts student run away; • Emergency termination of a Massachusetts student under circumstances in which the student presents a clear and present threat to the health and safety of him/herself or others pursuant to 18.05(7)(d); and • Any other incident of serious nature that occurs to a Massachusetts student. 	<ul style="list-style-type: none"> • Copy of the program’s written procedures for notifying all appropriate parties of serious incidents, including the contact person responsible for providing such notification. <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • All incident reports maintained in student records <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Education Director • Program Director • Residential Director • Teachers • Direct Care Staff • Public School Contact Person • State Agency Contacts • Parents • Transportation providers

AREA 5: ADMINISTRATION AND ADMISSION PROCEDURES

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>5.1 Student Admissions</p> <p>28.09(11); 18.05(1)(b)(1-17); 18.05(2); 18.05(3)(c)</p>	<p>The program develops and implements a written admissions policy that includes the following:</p> <ul style="list-style-type: none"> • A statement that the program maintains a copy of its policies and procedures manual on site; • A statement that the program provides written notice to the parents of the enrolled students that copies of its policies and procedures manual are available upon request; • Admission criteria; • Admissions procedures; • Information required from referring school districts as part of the application process; • Procedures followed to determine whether the student will be admitted; • (For Residential Programs Only) Procedures to prepare staff and students in the living unit for the new student's arrival; • A statement that prior to admission documentation is required from a licensed physician of a complete physical examination of the student not more than twelve (12) months before admission; • A statement that in the event of emergency placements, the school shall make provisions for a complete examination of the student within 30 days of admission; and • A statement that prior to admission, and upon request, the Director of the program or designee will be available to the parents, student and the public school for an interview. The interview shall include an explanation of the school's purpose and services, policies regarding student and parent rights including student records, the health program including the procedures for providing emergency health care, and the procedure for termination of a student. The interview will allow for the opportunity for the student and parents to see the 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written admissions criteria from policies and procedures manual • Copy of the program's application/intake form used for student admissions • Copy of the program's narrative description of orientation for parents and students upon admission to the program <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Program Director • Education Director • Residential Director • Director of Intake/Admissions Coordinator • Intake Team Members • Nurse • Parents

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	facilities, meet the staff members and to meet other enrolled students.	
5.2(a) Contracts 28.06(3)(f)	<p>There shall be a written contract for each enrolled student consistent with the requirements of 603 CMR 28.06(3)(f).</p> <p>Written contracts: School districts shall enter into written contracts with all out-of-district placements. Each contract shall include, but not be limited to, the following terms:</p> <ol style="list-style-type: none"> 1. The out-of-district placement shall comply with all elements of the IEP for the student and shall provide, in writing, to the Administrator of Special Education detailed documentation of such compliance through completion of required student progress reports. 2. The out-of-district placement shall allow the placing school district to monitor and evaluate the education of the student and shall make available, upon request, any records pertaining to the student to authorized school personnel from the school district and the Department in accordance with 603 CMR 23.00: <i>Student Records</i> 3. The out-of-district placement shall allow the placing school district and/or the Department to conduct announced and unannounced site visits and to review all documents relating to the provision of special education services to Massachusetts students at public expense. Access to documents for the placing school district shall include general documents available to the public, documents specifically related to the student placed by such district, and other documents only to the extent they are necessary to verify and evaluate education services provided at public expense. 4. The out-of-district placement shall afford publicly-funded students all the substantive and procedural rights held by eligible students, including but not limited to those specified in 603 CMR 28.09, and shall comply with all other applicable requirements of 603 CMR 28.00 and applicable policy 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Onsite verification of contracts

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>statements and directives issued by the Department.</p> <p>5. No school district shall contract with any out-of-district placement that discriminates on the grounds of race, color, religion, sexual orientation, or national origin, or that discriminates against qualified persons with disabilities.</p>	

AREA 6: EDUCATIONAL PROGRAM REQUIREMENTS - STUDENT LEARNING TIME

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>6.1 Daily Instructional Hours</p> <p>603 CMR 27.04</p>	<p>The program ensures that each student is scheduled to receive an average minimum of the following instructional hours unless otherwise approved by ESE or a student’s IEP provides otherwise:</p> <ul style="list-style-type: none"> • Elementary – A total of: <p>10 month program – 900 hours 11 month program – 990 hours 12 month program – 1080 hours</p> • Secondary – A total of: <p>10 month program – 990 hours 11 month program –1089 hours 12 month program – 1188 hours</p> <p>The program ensures that, unless a student’s IEP provides otherwise, each elementary school student is scheduled for at least 900 hours of structured learning time a year and each secondary school student is scheduled for at least 990 hours of structured learning time a year (including physical education for all students, required by M.G.L. c. 71, § 3), within the required school year schedule. Where the private special</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Block schedule that includes: <ul style="list-style-type: none"> ○ Beginning and ending time for each instructional block; ○ Subject area for each block; ○ All non-instructional time (e.g. lunch, recess, transitions between classes, etc.,); and ○ If non-instructional time activities are counted as instructional hours, they must be specified in student’s IEPs and ample IEP goals and objectives must be submitted • Calculation of the total number of instructional hours per year with documentation of how total was determined <p><u>Interviews:</u></p>

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>education program operates separate middle schools, at the beginning of the school year it designates each one as either elementary or secondary.</p> <p>NOTE: The program ensures that its structured learning time is time during which students are engaged in regularly scheduled instruction, learning or assessments within the curriculum of core subjects and other subjects as defined in 603 CMR 27.02. The program’s structured learning time may include directed study (activities directly related to a program of studies, with a teacher available to assist students); independent study (a rigorous, individually designed program under the direction of a teacher, assigned a grade and credit); technology-assisted learning; presentations by persons other than teachers; school-to-work programs; and statewide student performance assessments.</p>	<ul style="list-style-type: none"> • Education Director • Teachers • Related Service Providers • Direct Care Staff
<p>6.1(a) Physical Education Requirements</p> <p>M.G.L. c. 71, § 3</p>	<p>The program shall have a written plan to teach physical education as a required subject at all grade levels for all students for the purpose of promoting the physical well being of students.</p> <p>NOTE: Physical education classes are to be considered part of the student’s structured learning time.</p>	<p>Documentation:</p> <ul style="list-style-type: none"> • Copy of program’s written plan that describes the implementation of the physical education requirements and program offered to students • Submission of written schedules that clearly indicate when and how often physical education classes are provided to students <p>Interviews:</p> <ul style="list-style-type: none"> • Program Director • Education Director • Physical Education/APE Teacher
<p>6.4 School Days Per Year</p> <p>603 CMR 27.05(2); 28.09(9)(a)</p>	<p>All programs are run for the following minimum number of days (exclusive of weekends, holidays, vacations):</p> <ul style="list-style-type: none"> • 10 month program - 180 days • 11 month program – 198 days • 12 month program – 216 days 	<p>Documentation:</p> <ul style="list-style-type: none"> • Copy of school calendar for school year clearly indicating number of scheduled days <ul style="list-style-type: none"> ○ The last day of school must be indicated

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>Before the beginning of each school year, the program sets a school year schedule for each program. This schedule must include at least five additional school days to account for unforeseen circumstances (i.e., snowstorms).</p> <p>NOTE: All programs must schedule the number of school days per ESE's application approval plus five additional days for unforeseen circumstances.</p>	<ul style="list-style-type: none"> ○ Five additional school days to account for unforeseen circumstances must be indicated ○ The last day of school must be indicated for high school seniors <p>Interviews:</p> <ul style="list-style-type: none"> ● All Staff

AREA 8: EDUCATIONAL PROGRAM REQUIREMENTS - INDIVIDUALIZED EDUCATION PROGRAMS

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>8.4 Program Modifications and Support Services for Limited English Proficient Students</p> <p>M.G.L. c. 71A; Title VI</p>	<p>The program shall develop a written plan to implement necessary program modifications and support services to identify and effectively serve limited English proficient (LEP) students. Such program modifications and support services comply with applicable state law (M.G.L. c. 71A) and federal law (Title VI).</p> <ul style="list-style-type: none"> ● The program must acknowledge it is responsible to serve LEP students. ● The program must affirm its willingness to accept students with LEP into its program. ● The student must be afforded the same opportunity to access and participate in the program's services, activities and other benefits as all other students. ● Unless the student's IEP specifies otherwise, the student must receive: <ul style="list-style-type: none"> ○ sheltered content instruction from a trained and 	<p>Documentation:</p> <ul style="list-style-type: none"> ● Copy of written plan addressing how to effectively serve limited English proficient (LEP) students <p>Student Record Reviews:</p> <ul style="list-style-type: none"> ● IEPs of LEP students contain required documentation

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<ul style="list-style-type: none"> o qualified teacher; and o additional instruction in English as a Second Language by a certified ESL teacher. 	
<p>8.5 Current IEP & Student Roster</p> <p>28.09(5)(a)</p>	<p>The program has on file a current IEP for each enrolled Massachusetts student that has been issued by the responsible public school district and consented to and dated by the student’s parent(s) (or student, when applicable).</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • A roster of publicly funded <u>Massachusetts</u> students currently enrolled in the program containing the following information: <ul style="list-style-type: none"> o Each student’s initials (<u>not name</u>); o The school district responsible for preparing the student’s IEP; o The agency(ies) supporting any part of the student’s tuition; o The portion of tuition supported by such agency(ies); o The implementation date of the current IEP; o The date of expiration for the student’s current IEP; o The date of parental signature; o The name of the school district contact person for each student; and o For each unsigned IEP, evidence/documentation of efforts and/or steps taken for the public school district to obtain signed IEPs <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Current IEPs of students <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Education Director • Teachers

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
		<ul style="list-style-type: none"> • Parents • Public School Contact Person
<p>8.8 IEP – Progress Reports</p> <p>28.07(3); 34 CFR 300.320(a)(3)(i, ii)</p>	<p>Progress Reports and Content</p> <ul style="list-style-type: none"> • Parents receive reports on the student’s progress towards reaching the goals set in the IEP at least as often as parents are informed of the progress of students without disabilities; • Progress Report information sent to parents includes written information on the student’s progress toward the annual goals in the IEP; and • <u>The program shall send copies of progress reports to the parents and public school.</u> <p>NOTE: IEP must contain a description of:</p> <ul style="list-style-type: none"> • How the child's progress toward meeting the annual goals will be measured; and • When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of IEP progress report form used by the program addressing these requirements • Description of how the program documents that parents, school districts and/or agencies receive copies of progress reports <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Completed, dated progress report that includes the required narrative • Evidence of when and to whom the school sent copies of progress reports <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Education Director • Teachers • Related Service Providers • Parents • Public School Contact Person • State Agency Contact

AREA 9: EDUCATIONAL PROGRAM REQUIREMENTS - STUDENT DISCIPLINE AND BEHAVIOR MANAGEMENT

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>9.1 Polices and Procedure for Behavior Management</p> <p>18.03(7)(b)(2); 18.05(5, 6, 7); 28.09(11); 603 CMR 46.00; ESE Advisory on Restraint in Special Education Programs dated 12/20/05</p>	<p>The program develops and implements a comprehensive set of policies and procedures dealing with discipline and behavior management that meet all federal and state special education requirements.</p> <p>The policy must include a description of the behavior management procedures used in the facility including the following if applicable:</p> <ul style="list-style-type: none"> • Level/point systems of privileges, including procedures for the student’s progress in the program; • The type and range of restrictions a staff member can impose for unacceptable behavior, including suspension and termination; • The form of restraint used in an emergency; the behavioral interventions used as alternatives to restraint, and the controls on abuse of such restraints (See 603 CMR 46.00 and 12/20/05 ESE Advisory on Restraint); and • Any denial or restrictions of on-grounds program services. <p>NOTE: Meals shall not be withheld as a form of punishment or behavior management. No student shall be denied or unreasonably delayed a meal for any reason other than medical prescriptions.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written behavior management policies and procedures <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Individual Student Behavior Plan maintained in student record <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff
<p>9.1(a) Student Separation Resulting from Behavior Management</p> <p>18.05(5)(i); 18.05(6, 7); 46.02(5)(b)</p>	<p>If the program’s behavior management policy and procedures result in a student being separated in a room apart from the group or program activities, it shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1. Guidelines for staff in the utilization of such an area; 2. Persons responsible for implementing such procedures; 3. The duration of the procedures including procedures for approval by the chief administrative person or his/her designee for any period longer than 30 minutes; 4. Requirement that students shall be observed at all times and in all parts of the room, and that the staff shall be accessible at all times; and 5. A means of documenting the use of time-out for an individual student, including, at a minimum, length of time, reasons for this intervention, who approved the procedure, and who monitored the 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written policies and procedures regarding behavior management specific to student separation <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Documentation related to Criterion 9.1(a)(5) maintained in student records or time out log of all students <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>student during the time out.</p> <ul style="list-style-type: none"> ○ Time out rooms shall not be locked. ○ Any room or space used for the practice of separation must be physically safe and appropriate to the population served by the facility. 	
<p>9.4 Physical Restraint (Day programs only)</p> <p>18.05(5); 603 CMR 46.00</p>	<p>The program shall have a written policy on the use of physical restraint and administer physical restraint in accordance with the requirements of 603 CMR 46.00.</p> <p>The policy and procedures must include the following:</p> <ul style="list-style-type: none"> ● Parent/guardian consent to the implementation of restraint pursuant to the program’s policy must be obtained annually. ● The use of chemical or mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent or guardian. ● The use of seclusion restraint is prohibited. ● Methods for preventing student violence, self-injurious behavior, and suicide, including de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student; ● A description and explanation of the school's or program's method of physical restraint, ● A description of the program's training requirements for all staff and intensive training for staff who serve as restraint resources for the program, ● Reporting requirements and follow-up procedures for reports to parents/guardians and to the Department, ● A procedure for receiving and investigating complaints regarding restraint practices. ● Floor or prone restraints shall be prohibited unless the staff member administering the restraint has received in-depth training according 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> ● Copy of written physical restraint policies and procedures from policies and procedures manual ● Copy of parent/guardian consent form ● Onsite review of record of restraints for the last calendar year ● Names of staff who serve as restraint resources within the program and evidence of their intensive training <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> ● Associated restraint reports filed with the Department of Elementary and Secondary Education when a restraint lasts more than twenty (20) minutes (Private Day Programs only) and/or when a restraint results in the serious injury of a student or staff member, requiring medical attention (Private Day Programs only) <p><u>Interviews:</u></p> <ul style="list-style-type: none"> ● All Staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>to the requirements of 603 CMR 46.03(3) and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.</p> <ul style="list-style-type: none"> The director or his/her designee shall maintain an on-going record of all instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education, upon request, <p>NOTE: A residential educational program must comply with the EEC restraint requirements contained in 102 CMR 3.00 for all students enrolled in such program.</p> <p>NOTE: A program within a program or facility subject to M.G.L. c. 123 or Department of Mental Health Regulations must comply with the restraint requirements of M.G.L. c. 123, 104 CMR 27.12 or 104 CMR 28.05, where applicable.</p>	
<p>9.5 3-5 Day Suspensions 18.05(6)</p>	<p>The program shall develop and implement a written policy on suspensions and provide a copy to the parents and to the school district and/or human service agency that placed the student. Such policy shall contain the following information:</p> <ul style="list-style-type: none"> Whenever a student is suspended, the school shall immediately notify the parents and the public school or human service agency responsible for the placement. Within 24 hours, the school shall send a written statement explaining the reasons for suspension to the parents and public school district. No student may be suspended and sent home unless a responsible adult is available to receive the student. Once a student has been suspended for three (3) consecutive school days or five (5) non-consecutive school days in a school year, the school, parents, and public school district, consistent with federal requirements, shall explore together all possible program modifications within the school in an attempt to prevent more lengthy suspension of the student from the program. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> Copy of written suspension policies and procedures Onsite review of tracking mechanism for suspensions <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> Documentation regarding tracking the number and duration of suspensions, as well as notification of all appropriate parties, is maintained in student records or a copy of the student suspension log Documentation of notification to parents, school districts and other appropriate parties are maintained in student records

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<ul style="list-style-type: none"> • Procedures must be in place to record and track the number and duration of suspensions, including suspensions from any part of the student’s IEP program (including transportation). <p>NOTE: Sending a student home “early” or an in-school suspension of a student who is not receiving instruction from either a licensed teacher or a paraprofessional who is being supervised by a licensed teacher is considered a suspension if the student’s IEP does not allow for the modification of learning time requirements of the Board of Elementary and Secondary Education.</p>	<p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Program Director • Education Director • Residential Director • Clinical Director • Teachers • Related Services Providers • Direct Care Staff • Public School Contact Person • State Agency Contacts • Parents
<p>9.6 10+ Day Suspensions</p> <p>34 CFR 300.530 – 537 18.05(7)</p>	<p>The program shall develop and implement the following procedures when suspensions constitute a change of placement. A suspension is a change of placement when: 1) it exceeds 10 consecutive school days or 2) it is one of a series of suspensions that constitute a pattern under 34 CFR 300.536.</p> <ul style="list-style-type: none"> • A request is made of the student's responsible school district to convene an IEP Team meeting prior to a suspension that constitutes a change in placement of a student with disabilities. • The program participates in the TEAM meeting: <ul style="list-style-type: none"> ○ To develop or review a functional behavioral assessment of the student’s behavior and to develop or modify a behavior intervention plan; ○ To identify appropriate alternative educational setting(s); and ○ To conduct a manifestation determination (i.e. to determine the relationship between the disability and the behavior). • If the TEAM determines that the behavior is <u>NOT</u> a manifestation of the disability, the school may suspend or terminate the student consistent with policies applied to any other student in the program. The responsible school district must, however, offer an appropriate 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written suspension policies and procedures • Onsite review of tracking mechanism of suspensions. <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Documentation regarding tracking the number and duration of suspensions, as well as notification of all appropriate parties, is maintained in student records or a copy of the student suspension log • Documentation of notification to parents, school districts and other appropriate parties are maintained in student records • Evidence of IEP Team meetings, notices and meeting notes, revised IEP,

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>education program to the student that may be in some other setting.</p> <ul style="list-style-type: none"> If the TEAM determines that the behavior <u>IS</u> a manifestation of the disability, the TEAM, takes steps to modify the IEP, the behavior intervention plan, and/or the placement. <p>NOTE: Sending a student home “early” or an in-school suspension of a student who is not receiving instruction from either a licensed teacher or a paraprofessional who is being supervised by a licensed teacher is considered a suspension if the student’s IEP does not allow for the modification of learning time requirements of the Board of Elementary and Secondary Education.</p>	<p>manifestation determination, behavioral intervention plan and/or functional behavioral assessment if applicable.</p> <p>Interviews:</p> <ul style="list-style-type: none"> Program Director Education Director Residential Director Clinical Director Teachers Related Services Providers Direct Care Staff Public School Contact Person State Agency Contacts Parents
<p>9.7 Terminations 18.05(7); 28.09(12)(b)</p>	<p>The program develops and implements a written termination policy that includes provisions regarding both Planned Terminations and Emergency Terminations.</p> <p>The policy must include the following:</p> <p>a) Planned Terminations: The program shall notify the public school district of the need for an IEP review meeting and provides notice of this meeting to all appropriate parties ten (10) days in advance of the intended date of the meeting. The purpose of the meeting will be to develop a clear and specific termination plan for the student that shall be implemented in no less than thirty (30) days unless all parties agree to an earlier termination date.</p> <p>b) Emergency Terminations: In circumstances where the student presents a clear and present threat to the health and safety of him/herself or others, the program shall follow the procedures required under 603 CMR 28.09(12)(b) and immediately notify the Department of</p>	<p>Documentation:</p> <ul style="list-style-type: none"> Copy of written termination policy that clearly delineates between planned and emergency terminations <p>Student Record Reviews:</p> <ul style="list-style-type: none"> Evidence of notice to school districts prior to termination; Evidence of notification to parents and the Department of the emergency termination; and Meeting minutes or documentation from the Team meeting regarding termination

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>Elementary and Secondary Education.</p> <p>The program shall not terminate the enrollment of any student, even in emergency circumstances, until the enrolling public school district is informed and assumes responsibility for the student. At the request of the public school district, the program shall delay termination of the student for up to two calendar weeks to allow the public school district the opportunity to convene an emergency Team meeting or to conduct other appropriate planning discussions prior to the student's termination from the special education school program. With the mutual agreement of the program and the public school district, termination of enrollment may be delayed for longer than two calendar weeks.</p>	<p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Program Director • Education Director • Residential Director • Clinical Director • Teachers • Direct Care Staff • Public School Contact Person • State Agency Contacts <p>Parents</p>

AREA 10: EDUCATIONAL PROGRAM REQUIREMENTS - RATIOS

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>10.1 Staffing for Instructional Groupings</p> <p>28.06(6)(d); 28 09(7)(e)</p>	<p>The program shall have instructional groupings that do not exceed 1) the approved ESE Student: Licensed Educator Ratio and 2) the approved ESE Student: Licensed Educator and Aide Ratio.</p> <p>Student: Licensed Educator Ratio is defined as the number of licensed special education teachers, licensed regular education teachers or licensed related service providers to the number of students within an instructional group.</p> <p>Student: Licensed Educator and Aide Ratio is defined as the number of licensed special education teachers, licensed regular education teachers or licensed related service providers, and the number of aides (teacher aide, paraprofessional, direct care staff, behaviorist) to the number of</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Documentation that indicates the most recent ESE approved Student: Licensed Educator Ratio through either Initial Application, Program Reconstruction letter, Extraordinary Relief Letter, or Form 1 notification • Documentation that indicates the most recent ESE approved Student: Licensed Educator and Aide Ratio through either Initial Application, Program Reconstruction letter, Extraordinary

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	students within an instructional group.	<p>Relief Letter, or Form 1 notification</p> <ul style="list-style-type: none"> Block schedules that clearly display the numbers and initials of students, and the numbers and initials of certified educators and aides in <u>all</u> classrooms for <u>all</u> periods throughout the school day. Indicate on the schedule if staff are licensed educators or aides <p><u>Observations:</u></p> <ul style="list-style-type: none"> Classroom observation of student: licensed educator ratios and student: licensed educator and aide ratios <p><u>Interviews:</u></p> <ul style="list-style-type: none"> Program Director Education Director Teachers Direct Care Staff Parents
10.2 Age Range 28.06(6)(f, g)	<p>The program shall ensure that the ages of the youngest and oldest child in any instructional grouping shall not differ by more than forty-eight months (4 years).</p> <p>Prior to exceeding the forty-eight month timeframe, an Alternate Compliance Waiver (http://www.doe.mass.edu/pqa/sa_nr) must be requested and approved by the Department.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> Block schedules for every classroom and every period indicating the initials of students with corresponding dates of birth. Alternate Compliance Waiver if applicable <p><u>Interviews:</u></p> <ul style="list-style-type: none"> Program Director Education Director

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
		<ul style="list-style-type: none"> • Teachers • Direct Care Staff Parents

AREA 11: EDUCATIONAL STAFFING REQUIREMENTS - PERSONNEL POLICIES

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
11.1 Personnel Policies and Procedures Manual 18.05(11); 18.05(11)(c)(1); 28.09(7); 28.09(11)(a); M.G.L. c. 71, § 38R; ESE Advisory on CORI revised 5/7/07	<p>The program shall develop and implement a written personnel policies and procedures manual that describes:</p> <ul style="list-style-type: none"> • Criteria and procedures for hiring. This should include the school’s Criminal Offender Record Information (CORI) policy regarding CORI checks on employees, volunteers and transportation providers whose responsibilities bring them into direct and unmonitored contact with students (upon initial hire and every three years thereafter). [NOTE: A residential program licensed by EEC does not need to conduct independent CORI checks where those checks have been done through EEC]; • Procedures for evaluation of staff; • Procedures for discipline of staff (including suspensions and dismissals); • Procedures for handling staff complaints (See Criterion 15.8); • A plan for using volunteer and/or intern services; and, • Statement of equal employment/educational opportunities in regard to race, color, creed, religion, national origin, sex, sexual orientation and handicap. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Personnel policy and procedures manual <p><u>Personnel Records Reviews:</u></p> <ul style="list-style-type: none"> • Staff performance evaluations are scheduled and written copies maintained in the personnel records for all staff as outlined in the program’s personnel policy and procedures manual • Evidence of completed CORI checks prior to initial hire and every three years thereafter <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Director of Human Resources/Personnel Administrator • All Employees
11.2 Administrative Responsibility	<p>The program shall designate one person who will have administrative responsibility over the operation of the program. Programs with more than 40 professional licensed staff may have one (or more) assistant</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name of designated administrator and assistant administrators, if applicable

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
18.05(11)(a, b)	<p>administrator(s) provided the Department approves such positions.</p> <p>The administrator or designee shall at all times be on the premises of the school while the program is in operation. All staff on duty shall know who is responsible for administration of the program at any given time.</p>	<p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Assistant Director(s)
<p>11.3 Educational Administrator Qualifications</p> <p>28.09(5)(a); 28.09(7)(a); 603 CMR 44.00</p>	<p>At least one staff member shall be designated as the educational administrator for the program. Such person shall be assigned to supervise the provision of special education services in the program and to ensure that the services specified in each student’s IEP are delivered. The educational administrator shall either possess licensure as a special education administrator or possess all of the following:</p> <ul style="list-style-type: none"> • License as a special educator; • A minimum of a master's degree in special education or a related field; and • A minimum of one year of administrative experience. <p>The educational administrator shall be re-licensed pursuant to the requirements of 603 CMR 44.00.</p> <p>The educational administrator shall obtain supervisory approval of his/her Professional Development Plan per 603 CMR 44.04, if applicable.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name of educational administrator(s) and, either • Copy of licensure as a special education administrator or all of the following: • Copy of ESE license as a special educator or copy of ELAR activity sheet; and, • Evidence of Master’s Degree in special education or a related field; and • Evidence of a minimum of one year of administrative experience <p><u>Personnel Record Reviews:</u></p> <ul style="list-style-type: none"> • Professional Development Plan <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Program Director • Education Director

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>11.4 Teachers (Special Education Teachers and Regular Education Teachers)</p> <p>18.05(11)(f); 28.09(5)(a); 28.09(7)(b, c); 34 CFR 300.321</p>	<p>The program must ensure that all teaching staff have teaching licenses appropriate to meet the needs of the population being served pursuant to the requirements of 603 CMR 7.00 and, additionally, must adhere to the following requirements:</p> <ul style="list-style-type: none"> • All teaching staff shall be re-licensed pursuant to the requirements of 603 CMR 44.00 including obtaining supervisor approval of Professional Development Plans pursuant to 603 CMR 44.04, if applicable. • To the extent that teaching staff is providing special education services, such services shall be provided, designed, or supervised by a special educator. • A program’s teacher who has knowledge about the education and learning progress of the student must be in attendance at the IEP meeting for the student. <p>At least half of the teaching staff shall be licensed in special education areas appropriate to the population served at the program; other teaching staff may be licensed in other educational areas, in order to provide for content expertise in the general curriculum. The Department of Elementary and Secondary Education may require a higher proportion of licensed special educators if, in the opinion of the Department, the population requires more specialized services.</p> <p>The number of special education teachers and the number of the general education teachers must correspond with the most recent approved ESE budget.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Provide a statement regarding the most recent ESE approved number of special education teachers and general education teachers • Current teaching staff roster that includes all professional teaching staff in the program • Such roster must clearly display the following information: <ul style="list-style-type: none"> ○ The name, title and role of each teacher in the program; ○ Grade level being taught; ○ Subject(s) being taught; ○ Massachusetts teaching license title, type, grade level, number and expiration date; ○ Copy of ESE license or most current ELAR activity sheet; ○ In instances where teachers do not hold Massachusetts licensure for the area in which they are employed, a copy of a current certification waiver is provided or ELAR activity sheet; ○ In instances when general education teaching staff are providing special education services, the name and license of the special educator providing supervision; and ○ Most recent date of Professional Development Plan for teachers with

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
		professional level licensure <u>Personnel Record Review:</u> <ul style="list-style-type: none"> • Professional Development Plan <u>Interviews:</u> <ul style="list-style-type: none"> • Education Director • All Teachers
11.5 Related Services Staff 28.09(7)(d)	All staff providing or supervising the provision of related services (including consultants) shall be appropriately certified, licensed or registered in their professional areas.	<u>Documentation:</u> <ul style="list-style-type: none"> • A current staff roster for <u>all</u> related services providers that includes each provider's <ul style="list-style-type: none"> ○ Name ○ Title ○ Role in the program ○ ESE License number and/or Massachusetts State Board of Registration number • Copy of ESE License and/or Massachusetts, State Board of Registration <u>Interviews:</u> <ul style="list-style-type: none"> • Executive Director • Education Director • Clinical Director • Clinicians • Nurse • Related Service Providers
11.6 Master Staff Roster	The program maintains a master list of ALL staff for every position within the program. The staff positions shall correspond to the last ESE	<u>Documentation:</u>

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
28.09(7)	<p>approved Program Budget. This list must include job titles along with their corresponding UFR title numbers and full-time equivalents (FTE's). This list may include, but is not limited to:</p> <ul style="list-style-type: none"> • Administrators • Special education teachers • General education teachers • Related service providers • Registered Nurses • Direct care workers • Direct care supervisors • Clerical and maintenance staff • Psychologists • Social workers • Food service staff • Consultants <p>Any changes/discrepancies from the last Department of Elementary and Secondary Education approved Program Budget (through Initial Application, Extraordinary Relief, Special Circumstances, Program Reconstruction) must be described in a detailed, written narrative.</p> <p>NOTE: Document #16 must be used to document the Master Staff Roster.</p>	<ul style="list-style-type: none"> • Copy of the last approved Program Budget • A current master staff roster that includes <u>each staff person's</u> <ul style="list-style-type: none"> ○ Name ○ Program Job Title (define all job titles, i.e., UFR Program Function Manager might be the Education Director) ○ Corresponding UFR title number ○ Licensure and/or certification if appropriate ○ Full-time equivalent (FTE) ○ Qualifications (required of <u>all</u> direct care workers, including supervisors) ○ All positions must be included and indicated as vacant when applicable <p>Interviews:</p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Program Director • Director of Human Resources/Personnel Administration • Director of Operations
11.9 Organizational Structure 28.09(7)	<p>The program shall demonstrate that its organizational structure provides for the effective and efficient operation of the school, supervision of school staff, and supervision of students.</p>	<p>Documentation:</p> <ul style="list-style-type: none"> • Submission of organizational chart and that illustrate and describe lines of supervision for staff and students <ul style="list-style-type: none"> ○ Organizational charts must include the program position titles for all staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
		<p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • All Staff

AREA 12: EDUCATIONAL STAFFING REQUIREMENTS – STAFF TRAINING

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>12.1 New Staff Orientation and Training</p> <p>18.05(11)(g, i); 28.09(7)(f)</p>	<p>The program shall develop and implement a written plan for new staff orientation and training that is consistent with the needs of the student population and includes an orientation-training program which includes the following:</p> <ul style="list-style-type: none"> • Program’s philosophy • Organization • Program • Practices • Goals • ESE required topics (12.2 a-e) • Provisions for orientation of intern, volunteers or others who work at the program, if applicable. <p><u>NOTE:</u> New staff may not be assigned direct care duties with students until they have participated in all mandated trainings listed under criterion 12.2 a-e through their orientation program.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name of person responsible for coordination and implementation of orientation training • Copy of written orientation and training program for new staff <p><u>Personnel Record Reviews:</u></p> <ul style="list-style-type: none"> • Staff orientation verification <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff
<p>12.2 In-Service Training Plan and Calendar</p> <p>28.09(7)(f);</p>	<p>All staff, including new employees, interns and volunteers, must participate in annual in-service training on average at least two hours per month.</p> <p>The following topics are <u>required</u> in-service training topics and <u>must</u> be provided annually to <u>all staff</u>:</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • The name and job description for the staff person responsible for the development and implementation of the

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>28.09(9)(b); 28.09(10); 18.03(3); 18.05(9)(e)(1); 18.05(10); 18.05(11)(h) Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31-106.42; M.G.L. c. 76, § 5; 603 CMR 26.00, esp. 26.07(2, 3)</p>	<p>a. Reporting abuse and neglect of students to the Department of Children and Families and/or the Disabled Persons Protection Commission;</p> <p>b. Disciplinary and Behavior Management Procedures used by the program, such as positive reinforcement, point/level systems, token economies, time-out procedures and suspensions and terminations; as well as Restraint Procedures including de-escalation methods used by the program;</p> <p>c. Runaway policy;</p> <p>d. Emergency procedures including Evacuation Drills and Emergency Drills; and</p> <p>e. Civil rights responsibilities (discrimination and harassment).</p> <p>The following <u>additional</u> topics are <u>required</u> in-service training topics and <u>must</u> be provided annually <u>to all teaching staff</u>:</p> <ul style="list-style-type: none"> • How the learning standards of the Massachusetts Curriculum Frameworks are incorporated into the program’s instruction; • Procedures for inclusion of all students in MCAS testing and/or alternate assessments; and • Student record policies and confidentiality issues. <p>The following <u>additional</u> topics are <u>required</u> in-service training topics and <u>must</u> be provided annually <u>to appropriate staff based on their job responsibilities</u>:</p> <ul style="list-style-type: none"> • CPR training and certification; • Medication administration (including, but not limited to, administration of antipsychotic medications and discussions of medications students are currently taking and their possible side effects); • Transportation safety (for staff with transportation-related job responsibilities); and 	<p>in-service training program/calendar</p> <ul style="list-style-type: none"> • Annual detailed in-service training plan. This plan must reflect a minimum of: <ul style="list-style-type: none"> ○ 20 training hours for a 10 month program, or ○ 22 training hours for an eleven month program, or ○ 24 training hours for a twelve month program, <p>and</p> <ul style="list-style-type: none"> ○ <u>All</u> training topics provided; ○ The name and job title of the person conducting the individual training sessions; ○ The audiences to whom the training will be offered (i.e., special education teachers, direct care staff, social workers and volunteers/interns); ○ The <u>dates</u> and <u>times</u> when the various training topics will be offered; ○ The length of time allotted for each topic (i.e., two hours, ½ day); and ○ Plans for outside training opportunities (i.e., MAAPS Conference, conferences on autism, etc.). <ul style="list-style-type: none"> • Description of how program tracks and records individual staff attendance at trainings <p><u>Onsite Verification:</u></p>

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<ul style="list-style-type: none"> • Student record policies and confidentiality issues (for staff who oversee, maintain or access student records). 	<ul style="list-style-type: none"> • Evidence of attendance at required trainings for staff chosen for personnel file record review • Documentation of staff training may include staff attendance sign-in sheet, data base chart, log or individual employee record <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff
<p>12.2(c) Required Training- CPR Certification</p> <p>18.05(9)(e)</p>	<p>The program shall develop and implement a training plan for CPR Certification, which identifies:</p> <ul style="list-style-type: none"> • the staff positions/titles of staff to be trained; • how many staff in each position/title will be trained; and • the frequency of CPR training and certification. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • A copy of the training plan • The name and qualifications of the certified instructor providing the CPR training • List of staff who are CPR trained, their position and expiration date of their current CPR certification <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director • Program Director • Education Director • Residential Director • Nurse • Designated CPR Certified Staff

AREA 13: PHYSICAL FACILITY AND EQUIPMENT REQUIREMENTS

<p>13.2 Description of Physical Facility</p> <p>18.04; 28.09(8)</p>	<p><u>Kitchen, Dining, Bathing/Toilet and Living Areas:</u></p> <p>The private special education program shall ensure that all kitchen, dining, bathing/toilet and living areas are of an adequate type, size and design appropriate to the ages and needs of the students. The program shall also:</p> <ul style="list-style-type: none"> • Maintain areas which are clean, well ventilated and free from hazards; • Provide students with equipment, supplies and materials (e.g., kitchen equipment, dining utensils, toilets, sinks, individual furniture and storage space) which are clean, safe, safely stored, well maintained and appropriate to the ages and needs of the students; • Design all living areas to simulate the functional arrangements of a home and to encourage a personalized atmosphere for small groups of students, unless the school can justify that another arrangement is necessary to serve the particular needs of the students enrolled in the school. <p><u>Classroom Space:</u></p> <p>Each room or area that is utilized for the instruction of students shall be adequate with respect to the number of students, size and age of students and students' specific educational needs, physical capabilities and educational/vocational activities.</p> <p><u>Indoor Space:</u></p> <p>The school shall have a minimum of thirty-five (35) square feet of activity space per student exclusive of hallways, lockers, toilet rooms, isolation rooms, kitchen, closets, offices or areas regularly used for other purposes.</p> <p><u>Additionally, all programs must:</u></p> <ul style="list-style-type: none"> • Ensure that all areas, including but not limited to, floors, ceilings and walls, are clean, well maintained and free from safety hazards; • Protect all steam and hot water pipes by permanent screen guards, insulations, or any other suitable device which prevents students from coming in contact with them; • Maintain room temperatures at not less than 68 degrees Fahrenheit at zero Fahrenheit outside and at not more than the outside temperature when the outside temperature is above 80 degrees Fahrenheit; and <p>Designate space separate from classroom areas for administrative duties and staff or parent conferences.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • A narrative description and floor plans of <u>all</u> buildings for each school and/or program (including residences). The narrative and floor plan should include the number of floors and rooms in each building, and the size and function of each room (e.g., dining room, classroom) <p><u>Observation:</u></p> <ul style="list-style-type: none"> • Observations of all physical facilities <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff • Parents
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<p>13.4 Physical Facility/Architectural Barriers</p> <p>18.04(8); Section 504: 29 U.S.C. 794; 34 CFR 104.21,104.22; Title II: 42 U.S.C. 12132; 28 CFR 35.149, 35.150; Mass. Const. amend. art. 114</p>	<p>A program shall assure that students with limited mobility have access, free from barriers to their mobility, to those areas of the buildings and grounds to which such access is necessary for the implementation of the IEPs for such students. All programs receiving federal funds shall meet the requirements of Section 504 of the Rehabilitation Act of 1973.</p> <p>A program which enrolls students requiring wheelchairs shall have at least one entrance without steps and wide enough for a wheelchair, for each building utilized in carrying out the IEPs for such students.</p> <p>If any part of the program is not accessible to students with limited physical mobility, a plan and timetable shall be provided that describes how the program will make all programs and appropriate buildings accessible.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Narrative descriptions and floor plans indicating accessibility status • Any program which is not accessible must submit the following documentation: <ul style="list-style-type: none"> ○ A plan that details steps to be taken to comply with Section 504 of the Rehabilitation Act of 1973; ○ The name of the person responsible for implementation of the plan; and ○ A timetable for completion of the above plan including periodic written progress reporting to the Department of Elementary and Secondary Education <p><u>Observation:</u></p> <ul style="list-style-type: none"> • Observations of physical facilities to ensure students with limited mobility have access, free from barriers to their mobility, to those areas of the school buildings and grounds to which such access is necessary for the implementation of the IEP's for such students <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Education Director • Director of Operations • Teachers <p>Parents</p>
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<p>13.7 Library/Resource Room</p> <p>18.04(6)(b)</p>	<p>In addition to the regular instructional area, the program shall have a separate library or resource room that contains a variety of materials appropriate to the age and abilities of the students enrolled, and is available to all enrolled students.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Description of library or resource area including types of materials available for student use; and • Statement addresses when and how often students access the library <p><u>Observation:</u></p> <ul style="list-style-type: none"> • Observation to ensure the program has a separate library or resource room that contains a variety of materials and is available to all enrolled students <p><u>Interviews:</u></p> <p>All Staff</p>
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AREA 15: PARENT AND STUDENT INVOLEMENT

<p align="center">CRITERION NUMBER, TOPIC AND LEGAL STANDARD</p>	<p align="center">REQUIREMENTS</p>	<p align="center">SOURCE OF INFORMATION</p>
<p>15.1 Parental Involvement and Parents' Advisory Group</p> <p>18.05(4)(a)</p>	<p>The program shall have a written plan for involving parents and shall have a Parents' Advisory Group that shall advise the program on matters that pertain to the education, health and safety of the students in the program.</p> <p>The program shall designate a staff person to support the Parents' Advisory Group.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Parent involvement plan in manual describing outreach to parents and steps to be taken to seek parental input on matters pertaining to student health, education and safety • Position title and job description of staff person assigned to work with Parents' Advisory Group • Copies of schedules and agendas for Parent Advisory Group meetings <p><u>Interviews:</u></p>

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
		<ul style="list-style-type: none"> • Board of Directors • All Staff • Parents
<p>15.3 Information to be Translated into Languages Other Than English</p> <p>Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, § 5; 603 CMR 26.02(2)</p>	<p>When students have parents or guardians with limited English language skills, the program ensures that important school information is sent to them in a timely manner and provided to them in a language that they understand, either through written translations of documents or through oral interpreters.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copies of important program announcements and notices published in languages other than English (must include program’s Behavior Management Policy and Procedures, if applicable) • Description of how program will respond promptly to parent/guardian requests to have other important school information translated on demand, either orally or in writing <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Copies of written translations of documents (consent letters, progress reports, incident reports), as applicable <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director • Program Director • Education Director • Residential Director • Teachers • Parents • Public School Contact Person
<p>15.5 Parent Consent and Required Notification</p>	<p>The program shall develop and implement policy and procedures to work with school districts to obtain the following consents:</p> <ul style="list-style-type: none"> • <u>Annual:</u> 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written policy procedures for working with school districts to obtain

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>18.05(5)(c); 18.05(8); 18.05(9)(f)(1); 18.05(9)(j); M.G.L. c. 71, § 32A</p>	<ul style="list-style-type: none"> ○ Emergency medical treatment ○ Restraints ○ Medication Administration (when applicable) <p>● <u>When applicable:</u></p> <ul style="list-style-type: none"> ○ Research ○ Experimentation ○ Fundraising ○ Publicity and ○ Observation <p>● The program’s policy and procedures shall include, when applicable, notification pursuant to Parental Notification Law M.G.L. c. 71, § 32A concerning curriculum that primarily involves human sexual education or human sexuality issues.</p>	<p>parent consents</p> <ul style="list-style-type: none"> ● Sample of all consent and notification forms used by the school <p><u>Student Record Reviews:</u> All required consents and notification</p> <p><u>Interviews:</u></p> <ul style="list-style-type: none"> ● Executive Director ● Program Director ● Education Director ● Residential Director ● Clinical Director ● Public School Contact person ● Parent
<p>15.8 Registering Complaints and Grievances –Parents, Students and Employees</p> <p>18.05(1)(b)(16); Title IX: 20 U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II: 42 U.S.C. 12132; 28 CFR 35.107</p>	<ul style="list-style-type: none"> ● The private special education program shall develop, implement and make available to parents and, when applicable, students a set of written procedures that may be used to register complaints regarding the student’s education and care at the school that includes specific timelines and the appeals process. ● The private special education program must also adopt and publish grievance procedures for students providing for prompt and equitable resolution of complaints alleging discrimination based on legally protected categories (race, color, national origin, gender, religion, sexual orientation, disability) that includes specific timelines and the appeals process. ● The private special education program must also adopt and publish grievance procedures for employees providing for prompt and equitable resolution of complaints alleging discrimination based on legally protected categories (race, color, national origin, gender, religion, sexual orientation, disability) that includes specific 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> ● Name, position and title of person(s) responsible for investigating and resolving complaints regarding students’ education and care ● Copy of complaint procedures from manual ● Name, position and title of person(s) responsible for investigating and resolving discrimination complaints made on behalf of employees and students ● Copy of grievance policy and procedure for students

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	timelines and the appeals process.	<ul style="list-style-type: none"> • Copy of grievance policy and procedure for employees • Copy of written procedures that are made available to students, parents and/or employees for the purpose of registering such complaints and/or concerns <p><u>Personnel Record Reviews:</u></p> <ul style="list-style-type: none"> • Copies of employee grievances and resolutions, as applicable. <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Copies of student complaints and grievances and resolutions as applicable <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff • Parents

AREA 16: HEALTH AND MEDICAL SERVICES

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
16.2 Physician Consultation 18.05(9)(a) M.G.L. c. 71, §§ 53,	The program shall have a licensed physician available for consultation. <u>NOTE:</u> School Physician means a physician appointed by a School Committee or Board of Health in accordance with M.G.L. c. 71, §§ 53, 53A, and 53B or, in the case of a private program, by the Board of	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name and address of licensed physician employed/contracted by the program • Description of services provided to the

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
53A, and 53B	Trustees.	<p>program</p> <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director • Program Director • Nurses • Physician
<p>16.3 Nursing</p> <p>18.05(9)(b)</p> <p>M.G.L c. 112</p> <p>M.G.L. c. 71, §§ 53, 53A, and 53B</p>	<p>The program shall have a registered nurse available depending upon the health care needs of the program’s population.</p> <p><u>NOTE:</u> School Nurse means a nurse practicing in a school setting, who is:</p> <ul style="list-style-type: none"> (1) a graduate of an approved school for professional nursing; (2) currently licensed as a Registered Nurse pursuant to M.G.L c. 112; and (3) appointed by a School Committee or a Board of Health in accordance with M.G.L. c. 71, §§ 53, 53A, and 53B or, in the case of a private school, by the Board of Trustees. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name(s) of school nurse R.N. • Shift schedule • Explanation of how nurse’s availability is sufficient for needs of the student population <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director • Program Director • Residential Director • Education Director • Nurses • Consulting Physician
<p>16.4 Emergency First Aid and Medical Treatment</p> <p>18.05(9)(e, f)</p>	<p>The program shall have develop and implement policies and procedures for emergency first aid and medical treatment, including:</p> <ul style="list-style-type: none"> • No emergency first aid or medical treatment is administered to a student without written authorization from a parent. Such authorization shall be renewed annually; • Secure storage of adequate first aid supplies, including but not limited to bandages, body substance isolation gloves, gauze, adhesive tape, and cleaning solutions; • Easy access to first aid supplies in major activities areas; • Procedures to be followed in the case of illness or emergency, including methods of transportation and notification of parents; • A procedure for informing parents or the Department of Children 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written policies and procedures for emergency first aid and treatment from health care manual <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>and Families if appropriate of any medical care administered to their child other than basic first aid. (For students in the Department of Children and Families care or custody, an Educational Surrogate Parent shall not have authority to consent to routine or other medical care. For such students, consent shall be obtained consistent with the applicable Department of Children and Families requirements); and</p> <ul style="list-style-type: none"> • Procedures to be followed in the case of illness or emergency if parents cannot be reached. 	
<p>16.5 Administration of Medication</p> <p>18.05(9)(f)(8)</p>	<p>The program shall develop and implement written policy and procedures regarding the administration of medication including, but not limited to, the following:</p> <ul style="list-style-type: none"> • No medication is administered to a student without written authorization from a parent. Such authorization shall be renewed annually. • No prescription medication shall be administered to a student without the written order of the physician prescribing the medication to that student. • The program maintains written policies and procedures regarding prescription and administration of medication including authorization, prepackaging and staff training. • Any change of medication or dosage must be authorized by a new order from a physician. • A written record shall be maintained of the prescription of medication to students. A written record shall also be maintained of the administration of prescribed medication to students. Significant side effects of medications shall also be recorded. • Only trained staff may administer medication. • All medicine shall be kept in a locked, secure cabinet and labeled with the student's name, the name of the drug and the directions for its administration. • The program shall dispose of or return to the parents any unused medication. • Medications must be delivered to the school by a responsible adult in a container labeled by the physician or pharmacist. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written policy and procedures for administration of medication <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director • Program Director • Education Director • Residential Director • Nurse • Designated Medication Trained Staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<ul style="list-style-type: none"> • Provisions must be made for refrigeration of medications, when necessary. • The program shall have a written policy regarding the amount of medication to be kept on the premises at any one time for each student receiving medication. • A review of medications administered to a student shall be incorporated into all case reviews conducted at the school with staff regarding the student. 	
<p>16.6 Administration of Antipsychotic Medication</p> <p>18.05(9)(f)(9)</p>	<p>The program shall develop and implement written policy and procedures for the administration of antipsychotic medication. The policy shall include that the program shall not administer or arrange for the administration of antipsychotic medication (drugs used in treating psychoses and alleviating psychotic states) <u>except under the following circumstances:</u></p> <ul style="list-style-type: none"> • Antipsychotic medication shall be prescribed by a licensed physician for the diagnosis, treatment and care of the child and only after review of the student's medical record and actual observation of the student. • The prescribing physician shall submit a written report to the school detailing the necessity for the medication, staff monitoring requirements, potential side effects that may or may not require medical attention and the next scheduled clinical meeting or series of meetings with the student. • No antipsychotic prescription shall be administered for a period longer than is medically necessary and students on antipsychotic medication must be carefully monitored by a physician. • Staff providing care to a student receiving antipsychotic medication shall be instructed regarding the nature of the medication, potential side effects that may or may not require medical attention and required monitoring or special precautions, if any. • Except in an emergency, as defined in 18.05 (9)(g), the school shall neither administer nor arrange for the prescription and administration of antipsychotic medication unless informed written consent is obtained. If a student is in the custody of his/her 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written policy and procedures for administration of antipsychotic medication <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director • Program Director • Education Director • Residential Director • Nurse • Designated Medication Trained Staff

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>parent(s), parental consent in writing is required. Parental consent may be revoked at any time unless subject to any court order. If the parent does not consent or is not available to give consent, the referral source shall be notified and judicial approval shall be sought. If a student is in the custody of a person other than the parent, a placement agency or an out-of-state public or private agency, the referral source shall be notified and judicial approval shall be sought.</p> <ul style="list-style-type: none"> • In an emergency situation, antipsychotic medication may be administered for treatment purposes without parental consent or prior judicial approval if an unforeseen combination of circumstances or the resulting state calls for immediate action and there is no less intrusive alternative to the medication. The treating physician must determine that medication is necessary to prevent the immediate substantial and irreversible deterioration of a serious mental illness. If the treating physician determines that medication should continue, informed consent or judicial approval must be obtained as required by 18.05(9)(e). • The program shall inform a student twelve years of age and older, consistent with the student's capacity to understand, about the treatment, risks and potential side effects of such medication. The program shall specify and follow procedures if the student refuses to consent to administration of the medication. 	
<p>16.7 Preventive Health Care</p> <p>18.05(9)(g)(1); 105 CMR 200.100(B)(1); 105 CMR 200.400(B); 105 CMR 200.400(C); G.L. c. 71, § 57; and G.L. c. 111, § 111.</p>	<p>The program shall describe in writing a plan for the preventive health care of students:</p> <ul style="list-style-type: none"> • 603 CMR 18.05(9)(g)(1) Dental The program, in cooperation with the student's parents and/or human service agency which is responsible for payment, shall make provision for each student to receive an annual comprehensive dental examination. • 105 CMR 200.100(B)(1) Physical The program shall ensure that every student be separately and carefully examined by a duly licensed physician, nurse practitioner 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written plan for preventive health care from health care manual <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Evidence of preventive health care screenings, medical and dental examinations and immunizations <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>or physician assistant upon admission (within one year prior to entrance to program or within 30 days after program entry) and every 3-4 years afterwards. The program shall require a written report from the physician(s) of the results of the examination and any recommendation and/or modification of the student's activity.</p> <ul style="list-style-type: none"> • 105 CMR 200.400(B) Vision The program shall, in cooperation with the student's public school, develop a plan to ensure that vision screenings are conducted. The vision of each student in the program is to be screened in the year of program entry; annually through grade 5 (or by age 11 in ungraded classrooms); once in grades 6 through 8 (or ages 12 through 14 in ungraded classrooms); and once in grades 9 through 12 (or ages 15 through 18 in ungraded classrooms). • 105 CMR 200.400(C) Hearing The program shall, in cooperation with the student's public school, develop a plan to ensure that hearing screenings are conducted. The hearing of each student in the program is to be screened in the year of program entry; annually through grade 3 (or by age 9 in the case of ungraded classrooms); once in grades 6 through 8 (ages 12 through 14 in the case of ungraded classrooms); and once in grades 9 through 12 (ages 15 through 18 in the case of ungraded classrooms). • G.L. c.71, § 57 Posture The program shall, in cooperation with the student's public school, develop a plan to ensure that postural screenings are conducted. Tests ascertaining postural defects shall be administered at least once annually in grades 5 through 9. • The program shall have a policy and procedure for assuring that a student or staff member who has a reported communicable disease shall be authorized by a physician to continue to be present within the school and for notifying all parents and referring agencies of the introduction of a reported communicable disease into the program. The local board of health must be notified in accordance with M.G.L. c. 111, § 111. • The program shall provide a locked, secure cabinet to keep all toxic 	<ul style="list-style-type: none"> • Program Director • Nurses • Parents

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
	<p>substances, medications, sharp objects and matches out of the reach of students. Medications and medical supplies should not be locked in the same cabinet as other toxic substances. Toxic substances must be labeled with contents and antidote. The phone number for the nearest poison center must be posted clearly.</p> <ul style="list-style-type: none"> • Where appropriate, the program shall provide or arrange for the provision of family planning information, subject to any applicable state or federal legislation. • The program shall require that all students have necessary immunizations as required by the Department of Public Health. 	
<p>16.11 Student Allergies 18.05(9)(h)</p>	<p>The program shall develop and implement written policy and procedures for protecting a student from exposure to foods, chemicals, or other materials to which they are allergic, as stated by their physician/medical assessment.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written student allergies policy and procedures <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Notations of all individual student allergies and plans for protection, as applicable <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff
<p>16.12 No Smoking Policy M.G.L. c. 71, § 37H</p>	<p>The program shall develop and implement a written policy that prohibits the use of any tobacco products within the program buildings, the program facilities or on the program grounds or on buses by any individual, including school personnel.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of written no smoking policy <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff

AREA 18: STUDENT RECORDS

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
<p>18.1 Confidentiality of Student Records</p> <p>28.09(5)(a); 28.09(10); 23.07(1); M.G.L. c. 71, § 34H</p>	<p>Programs shall keep current and complete files for each publicly funded enrolled Massachusetts student and shall manage such files consistent with the Massachusetts Student Record Regulations of 603 CMR 23.00 and M.G.L. c. 71, § 34H.</p> <ul style="list-style-type: none"> • The program shall make the individual records of enrolled Massachusetts students available to the Department of Elementary and Secondary Education upon request. • Staff notes or reports regarding a student shall be legibly dated and signed by persons making entries. • A log of access shall be kept as part of each student’s record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: <ul style="list-style-type: none"> ○ the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; ○ the date of access; ○ the parts of the record to which access was obtained; and ○ the purpose of such access. <p>NOTE: Unless student record information is to be deleted or released, this log requirement shall not apply to authorized personnel who inspect the student record, administrative office staff and clerical personnel who add information to or obtain access to the student record and the school nurses who inspect the student health record.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name of person(s) responsible for oversight and maintenance of student records • Copy of log of access form <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> • Log of access <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff

AREA 19: ANTI-HAZING

CRITERION NUMBER, TOPIC AND LEGAL STANDARD	REQUIREMENTS	SOURCE OF INFORMATION
19 Anti-Hazing M.G.L. c. 269, §§ 17 through 19	<ul style="list-style-type: none"> • The principal/education director of each school program serving secondary school age students issues a copy of M.G.L. c. 269 §§ 17 through 19, to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of the school program's anti-hazing disciplinary policy approved by the program's Board of Director's. • Each school program serving secondary school age students files, at least annually, a report with the Department certifying <ul style="list-style-type: none"> a) Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269 §§ 17 through 19; b) Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and c) That the hazing policy has been included in the student handbook or other means of communicating school program policies to students. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Report on file with Department on or before Oct. 1st • Copies of student handbooks or disciplinary code distributed to students • Documentation of students' receipt of a copy of the school program's anti-hazing disciplinary policy approved by the program's Board of Director's <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff

AREA 20: BULLYING PREVENTION AND INTERVENTION

20 Bullying Prevention and Intervention M.G.L. c. 71, s. 37H, as amended by Chapter 92 of the Acts of 2010. M.G.L. c. 71, s. 37O(e)(1) & (2). M.G.L. c. 71, s. 370(d).	<ul style="list-style-type: none"> • Programs must amend handbooks/admission materials to include an age-appropriate summary of their new Bullying Prevention and Intervention Plan. • Program employee handbooks/policies and procedures must contain relevant sections of the Plan relating to the duties of educational staff and other staff. • Each year all programs must give parents and guardians annual written notice of the student-related sections of the local Plan. • Each year all programs must provide all staff with annual written 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • A description of the process the program followed to amend its' student admissions materials/handbook to include an age-appropriate summary of their Bullying Prevention and Intervention Plan. • A description of how the Bullying Prevention and Intervention Plan information was distributed.
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	<p>notice of the Plan.</p> <ul style="list-style-type: none"> • All programs must implement, for all staff, professional development that includes developmentally appropriate strategies to prevent bullying incidents; developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; information on the incidence and nature of cyber-bullying; and internet safety issues as they relate to cyber-bullying. 	<ul style="list-style-type: none"> • A description of the professional development plan developed by the program for all staff for the 2010-2011 School Year and evidence of its implementation, to include dates, format(s) used and agenda(s) if appropriate. Please include which, if any, position(s) listed below are not associated with your program. <p><u>Interviews:</u> All Staff, including:</p> <ul style="list-style-type: none"> • Admissions Coordinators • Athletic Coaches • Bus Drivers • Cafeteria Workers/Cooks • Clinical Staff • Custodians/Maintenance Workers • Direct Care Workers I & II Day (Academic) positions • Direct Care Workers I & II Residential positions • Nurses • Parents • Teachers
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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
APPROVED PRIVATE DAY AND RESIDENTIAL
MID-CYCLE REVIEW PROCEDURES**

Mid-cycle Review Introduction

A “Mid-cycle Review” for each Approved Private School Program will be scheduled during the third year of the program’s six year monitoring cycle. The Department’s 2011 - 2012 Approved Private School Programs schedule of Mid-cycle Reviews is posted on the Department’s website at:
<http://www.doe.mass.edu/pqa/review/psr/6yrcycle.html>.

The Department conducts Mid-cycle Reviews, including onsite visits, to determine the effectiveness of corrective action it has previously approved or ordered. In addition to monitoring compliance with requirements for which corrective action was previously required, the Department also monitors compliance with selected state and federal requirements across all private school programs being reviewed for a Mid-cycle.

All 2011 - 2012 Mid-cycle Reviews will include a review of all criteria listed in Selected Mid-cycle Review Criteria (Document #19) below; as well as any areas of non-compliance that were identified during the program’s last Program Review that required a written corrective action plan and are currently still part of our monitoring standards; and any additional areas that were identified after the review in the form of complaints. The Mid-cycle Review Onsite Chairperson may also determine that additional areas must be reviewed and will inform the program of any additional criteria.

FACE SHEET AND STATEMENT OF ASSURANCES

For all Approved Private School Programs being reviewed, complete, obtain appropriate signatures and submit a complete Face Sheet (Document #2) and Statement of Assurances (Document #3).

SUBMISSION OF REQUIRED DOCUMENTATION

The private school program will submit documentation for all required criteria as listed in Selected Mid-cycle Review Criteria (Document #4) below, as well as any additional criteria from the program’s last Program Review Final Report that required a response in the form of a corrective action plan and are currently still part of our monitoring standards. The Mid-cycle Review onsite Chairperson will also alert the program to any additional criteria that the program will be asked to include in its submission. This documentation must be submitted at least two weeks prior to the onsite Mid-cycle Review.

ONSITE TEAM ACCOMMODATIONS

In order to facilitate the smooth implementation of these Mid-cycle Review activities, the following accommodations are requested from the program for the onsite visit:

- advance copy of driving directions to all program facilities included as part of the review and instructions for onsite team member parking;
- an onsite team meeting room providing for confidentiality, equipped with a large meeting table and chairs

that is able to be locked at night to ensure the security of Team records;

- interview spaces for all interviews to be conducted in a confidential manner;
- access to a telephone and telephone numbers/extensions of staff involved in the program review;
- and lunch options available onsite or for take out

Upon issuance of the Mid-cycle Review Report, the program will receive an updated approval status. For programs receiving a “Full Approval,” this approval will remain in effect for three (3) years expiring on August 31st of the third year of approval. This approval will be contingent upon continued compliance with all regulations contained within 603 CMR 28.00, “Special Education Regulations,” and 603 CMR 18.00, “Program And Safety Standards For Approved Public Or Private Day And Residential Special Education School Programs,” as well as the Department’s approval of all required corrective action plans.

The Department of Elementary and Secondary Education may change this approval status at any point during the three-year period if circumstances arise that warrant such a change. For Approved Private School Programs receiving a “Provisional Approval” or “Probationary Approval,” the Department of Elementary and Secondary Education will clearly indicate the reasons for the reduced approval, along with timelines for compliance and an expiration date of the approval status. The Department will review all required progress reports related to the Mid-cycle Review Report findings and issue written determinations regarding approval or disapproval of these.

NOTE: For programs undergoing Program Reconstruction, Special Circumstances or Extraordinary Relief, please note that even if the program has substantially met all of the requirements for a Full Approval, the program will remain on Provisional Approval until the completion of the Program Reconstruction, Special Circumstances or Extraordinary Relief process.

**EXIT MEETING AND PREPARATION OF
MID-CYCLE REVIEW REPORT**

An informal Exit Meeting will be held with the Executive Director of the private school program and anyone else of his/her choosing to summarize general impressions of the visit. The Department's Mid-cycle Review Report is a public document that is to be made available by the program to its Board of Directors, parents and the general public upon request. The Department of Elementary and Secondary Education also posts all Private School Program Review Mid-cycle Review Reports on its Internet Web site at <http://www.doe.mass.edu/pqa/review/psr/reports/followup.html>

MID-CYCLE REVIEW DOCUMENTS

- Face Sheet
- Statement of Assurances
- Selected Approved Private School Mid-cycle Review Criteria
- Master Staff Roster Form
- Student Record Selection Form
- Student Record Review Checklist
- Individual Personnel File Review Checklist, if applicable
- Classroom and Facilities Observation Form

**Document #2 MID-CYCLE REVIEW FACE SHEET
FOR DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
APPROVAL OF A
MASSACHUSETTS PUBLIC OR PRIVATE DAY OR RESIDENTIAL
SPECIAL EDUCATION SCHOOL PROGRAM
(IDEA_2004, M.G.L. c. 71B, 603 CMR Section 18.00 and Section 28.00)**

PAGE 1 of 2

DATE _____ SCHOOL YEAR _____

Mid-cycle Review

Agency Name: _____
 Address: _____
 Telephone: (____) _____ Fax Number: _____
 E-mail Address: _____
 Website: _____

Name of Program: _____
 Primary Program Building Location (Attach and list additional approved buildings/residences):

Name of Primary Contact: _____
 Role: _____
 Telephone: (____) _____ Fax Number: _____
 Email: _____

(Check one)
 Day Program Residential Program

(Check one)
 10-month Program 11-month Program 12-month Program Summer Program

Current Approval Status: (Check one)
 Full Provisional Probationary

Expiration Date: _____

EEC License/Approval Status (Residential only):

License Type: _____
 Expiration Date: _____

Number of Days School is in Session per ESE approval: _____
 Number of Days the Residential School Operates (Where Applicable): _____
 Total Instructional Hours for the School Year: _____ hours

Current Enrollment: _____ Number of students Program Rate is based upon: _____
 # Enrolled by Funding Source:
 MA School Districts: _____ MA State Agencies: _____
 Cost share State Agency and LEA: _____ MA Private Pay: _____ Private Pay Other States:
 Public Pay Other States: _____ Other: (Describe) _____

PAGE 2 OF 2

Student: Licensed Educator Ratios: _____

Number of students within an instructional group **to** the number of licensed special education teachers or licensed regular education teachers. The ratio must be based on the last ESE approved budget that provided for a specific number of special education and regular education teachers for a specific number of students. If the program's instructional groups all contain aides, just report the Student: Licensed Educator : Aide Ratio below and do not report a Student: Licensed Educator Ratio here. (See monitoring standard 10.1 of the Approved Private Special Education School Program Review Procedures at <http://www.doe.mass.edu/pqa/review/psr/default.html> for details)

Student: Licensed Educator and Aide Ratio: _____

Number of students within an instructional group **to** the number of licensed special education teachers or licensed regular education teachers **to** the number of aides (teacher aide, paraprofessional, direct care staff, behaviorist). The ratio must be based on the last ESE approved budget that provided for a specific number of special education and regular education teachers and aides for a specific number of students. If a student is assigned a 1:1 aide within an instructional group, but overall that instructional group is not staffed 1:1, only include the overall instructional group ratio in this number. (See monitoring standard 10.1 of the Approved Private Special Education School Program Review Procedures at <http://www.doe.mass.edu/pqa/review/psr/default.html> for details)

ESE approved Childcare-Student Ratios (Residential only): Day: _____ Overnight: _____

Are Supervisors included in the ratio? Yes _____ No _____

Name of Executive Director: _____

Phone Number or Extension: _____

Email: _____

Name of Program Director: _____

Phone Number or Extension: _____

Email: _____

Name of Educational Director: _____

Phone Number or Extension: _____

Email: _____

Name of Residential Director: _____

Phone Number or Extension: _____

Email: _____

Name of Civil Rights/Grievance Coordinator: _____

Phone Number or Extension: _____

Email: _____

Name of the President of the Board of Directors: _____

Address: _____

Telephone: (____) _____ Email: _____

Other Important Contact: _____ Role: _____

Address: _____

Telephone: () _____

Email: _____

<p>Document #3 REQUEST FOR APPROVAL OF A MASSACHUSETTS PRIVATE DAY OR RESIDENTIAL SPECIAL EDUCATION SCHOOL PROGRAM</p>
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STATEMENT OF ASSURANCES
PAGE 1 OF 4

Name of Agency: _____

Name of Program: _____

1. Financial Solvency

Pursuant to 603 CMR 28.09(2)(b)(4), WE assure the Department of Elementary and Secondary Education that the program is in good standing with the Massachusetts Department of Revenue, the Massachusetts Division of Employment Security and, with respect to federal employee withholding taxes, the United States Internal Revenue Service. WE further assure that WE will notify the Department of any financial difficulties that may impact the overall health and safety of the students enrolled and/or the delivery of services as specified in students' Individualized Education Programs.

2. Legal Status

We assure the Department of Elementary and Secondary Education that WE adhere to all applicable provisions of 603 CMR 18.00 and 603 CMR 28.00.

3. Justification of Private Day or Residential School (applicable to submission of requests for Initial Approval of Private Special Education Schools ONLY)

Pursuant to 603 CMR 28.09(2)(b)(1), WE assure the Department of Elementary and Secondary Education that the private school program is developed as a result of persuasive evidence (through research or demographic information) that the students the program serves (or intends to serve) need and will use the program.

4. Civil Rights

Pursuant to 603 CMR 28.06(3)(f)(5) and 18.05(11)(j), WE assure the Department of Elementary and Secondary Education that the program does not discriminate in the enrollment of students and in the employment of personnel on the basis of race, gender, color, religion, national origin, age, sexual orientation or disability.

5. Accessibility

Pursuant to 603 CMR 18.04, WE assure the Department of Elementary and Secondary Education that the physical facility of the program is in full compliance with accessibility requirements of state and federal law OR if not fully compliant, WE will submit a plan and a timetable for the Department's approval that describe how the school will make all programs and services accessible to students.

6. Staff Qualifications

Pursuant to 603 CMR 28.09(7)(b) and (d) and 603 CMR 18.05 (11)(f), WE assure the Department of Elementary and Secondary Education that the staff of the program is fully qualified, licensed, and/or certified in its professional areas as appropriate to meet the needs of the population served at the program. In the event that qualified professional staff is not available, WE assure the Department that the program will make application to the Commissioner of Education for the approval of any applicable waiver of these requirements.

7. Student Learning Time

Pursuant to M. G. L. c. 69, § 1G, as amended, and consistent with the requirements of 603 CMR 27.00, WE assure the Department of Elementary and Secondary Education that each enrolled student, including students served in alternative education programs and out-of-district special education programs, is scheduled to receive a

minimum of 425/900/990 hours (kindergarten/elementary/secondary) of structured learning time. Student learning time for grades 1-12 is distributed over a minimum of 180 school days each year.

PAGE 2 OF 4

8. Full IEP Implementation

Pursuant to 603 CMR 28.05(4)(a), WE assure the Department of Elementary and Secondary Education that the program will ensure all student IEPs are current, signed and will be fully implemented, including the provision of specially designed instruction to meet the unique needs of the individual students and/or related services necessary to assist the students to benefit from special education and/or access the general curriculum.

9. Least Restrictive Environment

Pursuant to 603 CMR 28.09(9)(c), WE assure the Department of Elementary and Secondary Education that the program will actively develop and implement flexible procedures and mechanisms that maximize opportunities for enrolled students to gain the capacity to return to a less restrictive educational program. WE further assure the Department of Elementary and Secondary Education that the program will work actively in partnership with placing school districts to adhere to all provisions of state and federal law which mandate placement of students in settings which are the least restrictive to meet their individual needs.

10. Curriculum

Pursuant to 603 CMR 28.09(9)(b), WE assure the Department of Elementary and Secondary Education that the program's teaching staff have an understanding and knowledge of the Massachusetts Curriculum Frameworks. Additionally, the program has incorporated the Massachusetts Curriculum Frameworks into the program's instruction and provides students (including all students with disabilities) with essential learning opportunities that prepare the students to reach the state graduation standards. Pursuant to 603 CMR 28.09(9)(d), WE ensure that all enrolled students participate in state assessment programs in accordance with the assessment participation information provided on the student's IEP. (Refer to Administrative Advisory SPED 2002-4 REVISED for detailed guidance on MCAS participation and high school graduation standards.)

11. Smoking

WE assure the Department of Elementary and Secondary Education that the program will comply fully with public and private school provisions of the federal Pro-Children Act of 1994 (Section 1041 of the Goals 2000: Educate America Act, P.L. 103-227, 20 USC 6081) which prohibits smoking inside facilities used for preschool, elementary or secondary education or library services to children and on public school grounds. In addition, WE assure that the program will comply with M.G.L. c. 71, § 37H, which prohibits smoking by any individual within the school buildings, grounds, facilities and buses serving publicly funded students. (Refer also to approval standard 16.12)

12. Parent Involvement

Pursuant to 603 CMR 18.05(4), WE assure the Department of Elementary and Secondary Education that the program will have a written plan for involving parents and shall have a Parents' Advisory Group.

13. Discipline, Behavior Management

WE assure the Department of Elementary and Secondary Education that all provisions relating to the discipline of students, including but not limited to, behavior management, use of restraint, suspensions and planned and emergency terminations are implemented consistent with the provisions of federal IDEA-2004, and its implementing regulations as well as 603 CMR 28.00, 603 CMR 18.00 and 603 CMR 46.00 (where applicable).

14. Policy and Procedures

Pursuant to 603 CMR 28.09(11), WE assure the Department of Elementary and Secondary Education that the program has developed and keeps current a comprehensive manual of all required policies and procedures required in these application standards.

PAGE 3 OF 4

15. Criminal Offender Record Information - “CORI” (Applicable to all out-of-district programs except those already licensed by the Massachusetts Department of Early Education and Care)

Pursuant to M.G.L. c. 71, § 38R, WE assure the Department of Elementary and Secondary Education that the program conducts criminal record information (“CORI”) checks on current and prospective employees, volunteers, school transportation providers and others who may have direct and unmonitored contact with children. Further, WE assure that the program maintains a CORI Policy and obtains “CORI” from the Massachusetts Criminal History Systems Board (CHSB), the state agency authorized to provide CORI to certified agencies, at least every three (3) years during an individual’s term of employment or service. (Refer also to approval standard 11.1)

16. Notifications

Pursuant to 603 CMR 28.09(5), WE assure the Department of Elementary and Secondary Education that the program will notify the Department (using the required standard Form 1 attached) of any substantial change in its legal or financial status; the enrollment of students; the program or physical plant; and the staffing pattern and certification and/or credentials of staff.

WE will also notify the Department of any other substantial change that may affect the program’s approval status as issued by the Department of Elementary and Secondary Education. When it is anticipated that a change in an approved private school program will result in a request for tuition adjustment, WE will document with the notification that (1) WE have informed all purchasers of the change and any potential for a resulting tuition adjustment; (2) WE have invited comment from all purchasers regarding such change(s); and (3) WE have considered and responded to all comments.

Additionally WE assure the Department that in the event of a serious incident affecting the well being of any student, WE will immediately notify the Department of Elementary and Secondary Education (by telephone and in writing) using the required standard Form 2 pursuant to all applicable state requirements, and in applicable situations, we will submit promptly the Department of Elementary and Secondary Education Physical Restraint Report [603 CMR 46.06(5)].

17. Contracts

WE assure the Department of Elementary and Secondary Education that the program enters into written contracts with responsible school districts for the placement of Massachusetts students enrolled in this public or private out-of-district program. At a minimum, the content of such contracts meets the requirements of 603 CMR 28.06(3)(f). (Refer to Administrative Advisory SPED 2002-5 for detailed guidance on Contracts.)

18. Aspects of Program, Staff Credentials and Student Records

The public or private special education school shall make available to the Department information on all aspects of the school’s program(s), the certification and/or credentials of its staff and the individual records of enrolled Massachusetts students pursuant to 28.09(5)(a).

19. Anti-Hazing

Pursuant to G.L. c. 269 §§ 17 through 19, WE assure the Department that the principal of each private program that is a secondary school issues a copy of the anti-hazing law to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student

organization, and a copy of the program's anti-hazing disciplinary policy approved by the school committee. Further, WE assure each private program that is a secondary school files, at least annually by October 1st, a report with the Department certifying:

- a) Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of G.L. c. 269 §§ 17 through 19;
- b) Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and
- c) That the hazing policy has been included in the student handbook or other means of communicating school policies to students.

PAGE 4 OF 4

20. Anti-Bullying

We assure the Department that we will comply with [An Act Relative to Bullying in Schools](#), Chapter 92 of the Acts of 2010, requiring school leaders to create and implement strategies to prevent bullying, and to address bullying promptly and effectively when it occurs. The law took effect immediately upon signing and includes timelines for a number of activities to be undertaken, including a requirement to create and file bullying prevention and intervention plans with the Department on or before December 31, 2010. The law in its entirety can be viewed at <http://www.mass.gov/legis/laws/seslaw10/s1100092.htm>.

Signed Assurance Given by:

Name: _____ Title: _____ Date: _____
(Executive Director)

Name: _____ Title: _____ Date: _____
(Education Director)

Name: _____ Title: _____ Date: _____
(President of Board of Directors)

Document 4
Selected Mid-cycle Review Criteria
School Year 2011-2012

<p>2.2 Approvals, Licenses, Certificates of Inspection</p> <p>18.04(1); 28.09(2)(b)(5); 28.09(5) (b); 28.09(6) (b, c)</p>	<p>The program has current licenses, approvals, and certificates of inspection by state and local agencies.</p> <ul style="list-style-type: none"> • Safety Inspection. The program shall have an appropriate certificate of inspection from the Department of Public Safety or the local building inspector for each building to which students have access; • Fire Inspection. The program shall obtain a written report of an annual fire inspection from the local fire department; • Lead paint inspection (if facility was built prior to 1978). All buildings, residential or otherwise, utilized by children younger than six or with a mental age younger than six shall be free of lead paint; • Local Board of Health permit if providing food services; • Asbestos inspection or date when building was constructed and statement from appropriate authority that building is asbestos-free (if asbestos is present, then a containment plan is necessary); and • Statement regarding the non-existence of PCBs, or, if PCBs are present, then a containment plan. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Provide current copies of licenses, approvals, and certificates of inspection <p><u>Observation:</u> Posted certificates</p> <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Director of Operations
<p>2.3 EEC Licensure</p> <p>102 CMR 3.00 (Residential Programs only)</p>	<p>The residential program has a current, full license from the Department of Early Education and Care (EEC) (per 102 CMR 3.00). Approval by EEC to operate a group care facility or a day care center (if applicable).</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Provide copy of EEC license <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Executive Director/Program Director • Residential Director • EEC Licensing Specialist
<p>8.5 Current IEP & Student Roster</p>	<p>The program has on file a current IEP for each enrolled Massachusetts student that has been issued by the responsible public school district and consented to and dated</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • A roster of publicly funded

28.09(5)(a)	by the student's parent(s) (or student, when applicable).	<p><u>Massachusetts</u> students currently enrolled in the program containing the following information:</p> <ul style="list-style-type: none"> ○ Each student's initials (<u>not name</u>); ○ The school district responsible for preparing the student's IEP; ○ The agency(ies) supporting any part of the student's tuition; ○ The portion of tuition supported by such agency(ies); ○ The implementation date of the current IEP; ○ The date of expiration for the student's current IEP; ○ The date of parental signature; ○ The name of the school district contact person for each student; and ○ For each unsigned IEP, evidence/documentation of efforts and/or steps taken for the public school district to obtain signed IEPs <p><u>Student Record Reviews:</u></p> <ul style="list-style-type: none"> ● Current IEPs of students <p><u>Interviews:</u></p> <ul style="list-style-type: none"> ● Education Director ● Teachers ● Parents ● Public School Contact Person
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<p>11.3 Educational Administrator Qualifications</p> <p>28.09(5)(a); 28.09(7)(a); 603 CMR 44.00</p>	<p>At least one staff member shall be designated as the educational administrator for the program. Such person shall be assigned to supervise the provision of special education services in the program and to ensure that the services specified in each student’s IEP are delivered. The educational administrator shall either possess licensure as a special education administrator or possess all of the following:</p> <ul style="list-style-type: none"> • License as a special educator; • A minimum of a master's degree in special education or a related field; and • A minimum of one year of administrative experience. <p>The educational administrator shall be re-licensed pursuant to the requirements of 603 CMR 44.00.</p> <p>The educational administrator shall obtain supervisory approval of his/her Professional Development Plan per 603 CMR 44.0, if applicable.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Name of educational administrator(s) and • Copy of licensure as a special education administrator or all of the following: • Copy of ESE license as a special educator or copy of ELAR activity sheet; and, • Evidence of Master’s Degree in special education or a related field; and • Evidence of a minimum of one year of administrative experience <p><u>Personnel Record Reviews:</u></p> <ul style="list-style-type: none"> • Professional Development Plan <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Program Director • Education Director
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<p>11.4 Teachers (Special Education Teachers and Regular Education Teachers)</p> <p>18.05(11)(f); 28.09(5)(a); 28.09(7)(b, c); 34 CFR 300.321</p>	<p>The program must ensure that all teaching staff have teaching licenses appropriate to meet the needs of the population being served pursuant to the requirements of 603 CMR 7.00 and, additionally, must adhere to the following requirements:</p> <ul style="list-style-type: none"> • All teaching staff shall be re-licensed pursuant to the requirements of 603 CMR 44.00 including obtaining supervisor approval of Professional Development Plans pursuant to 603 CMR 44.04, if applicable. • To the extent that teaching staff is providing special education services, such services shall be provided, designed, or supervised by a special educator. • A program’s teacher who has knowledge about the education and learning progress of the student must be in attendance at the IEP meeting for the student. <p>At least half of the teaching staff shall be licensed in special education areas appropriate to the population served at the program; other teaching staff may be licensed in other educational areas, in order to provide for content expertise in the general curriculum. The Department of Elementary and Secondary Education may require a higher proportion of licensed special educators if, in the opinion of the Department, the population requires more specialized services.</p> <p>The number of special education teachers and the number of the general education teachers must correspond with the most recent approved ESE budget.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Provide a statement regarding the most recent ESE approved number of special education teachers and general education teachers • Current teaching staff roster that includes all professional teaching staff in the private school program • Such roster must clearly display the following information: <ul style="list-style-type: none"> ○ The name, title and role of each teacher in the program; ○ Grade level being taught; ○ Subject(s) being taught; ○ Massachusetts teaching license title, type, grade level, number and expiration date; ○ Copy of ESE license or most current ELAR activity sheet; ○ In instances where teachers do not hold Massachusetts licensure for the area in which they are employed, a copy of a current certification waiver is provided or ELAR activity sheet; ○ In instances when general education teaching staff are providing special education services, the name and license of the special educator providing supervision; and
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		<ul style="list-style-type: none"> ○ Most recent date of Professional Development Plan for teachers with professional level licensure <p><u>Personnel Record Review:</u></p> <ul style="list-style-type: none"> ● Professional Development Plan <p><u>Interviews:</u></p> <ul style="list-style-type: none"> ● Education Director ● All Teachers
<p>11.5 Related Services Staff 28.09(7)(d)</p>	<p>All staff providing or supervising the provision of related services (including consultants) shall be appropriately certified, licensed or registered in their professional areas.</p>	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> ● A current staff roster for <u>all</u> related services providers that includes each provider's <ul style="list-style-type: none"> ○ Name ○ Title ○ Role in the program ○ ESE License number and/or Massachusetts State Board of Registration number ● Copy of ESE License and/or Massachusetts, State Board of Registration <p><u>Interviews:</u></p> <ul style="list-style-type: none"> ● Executive Director ● Education Director ● Clinical Director ● Clinicians ● Nurse

<p>11.6 Master Staff Roster 28.09(7)</p>	<p>The program maintains a master list of ALL staff for every position within the program. The staff positions shall correspond to the last ESE approved Program Budget. This list must include job titles along with their corresponding UFR title numbers and full-time equivalents (FTE's). This list may include, but is not limited to:</p> <ul style="list-style-type: none"> • Administrators • Special education teachers • General education teachers • Related service providers • Registered Nurses • Direct care workers • Direct care supervisors • Clerical and maintenance staff • Psychologists • Social workers • Food service staff • Consultants <p>Any changes/discrepancies from the last Department of Elementary and Secondary Education approved Program Budget (through Initial Application, Extraordinary Relief, Special Circumstances, Program Reconstruction) must be described in a detailed, written narrative.</p> <p><u>NOTE:</u> Document #20 must be used to document the Master Staff Roster.</p>	<ul style="list-style-type: none"> • Related Service Providers <p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Copy of the last approved Program Budget • A current master staff roster that includes <u>each staff person's</u> <ul style="list-style-type: none"> ○ Name ○ Program Job Title (define all job titles, i.e., UFR Program Function Manager might be the Education Director) ○ Corresponding UFR title number ○ Licensure and/or certification if appropriate ○ Full-time equivalent (FTE) ○ Qualifications (required of <u>all</u> direct care workers, including supervisors) ○ All positions must be included and indicated as vacant when applicable <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • Board of Directors • Executive Director • Program Director • Director of Human Resources/Personnel Administration • Director of Operations
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<p>19 Anti-Hazing</p> <p>M.G.L. c. 269, §§ 17 through 19</p>	<ul style="list-style-type: none"> • The principal/education director of each school program serving secondary school age students issues a copy of M.G.L. c. 269 §§ 17 through 19, to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, and a copy of the school program's anti-hazing disciplinary policy approved by the program's Board of Director's. • Each school program serving secondary school age students files, at least annually, a report with the Department certifying <ul style="list-style-type: none"> a) Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269 §§ 17 through 19; b) Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and c) That the hazing policy has been included in the student handbook or other means of communicating school program policies to students. 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • Report on file with Department on or before Oct. 1st • Copies of student handbooks or disciplinary code distributed to students • Documentation of students' receipt of a copy of the school program's anti-hazing disciplinary policy approved by the program's Board of Director's <p><u>Interviews:</u></p> <ul style="list-style-type: none"> • All Staff
<p>20 Bullying Prevention and Intervention</p> <p>M.G.L. c. 71, s. 37H, as amended by Chapter 92 of the Acts of 2010. M.G.L. c. 71, s. 37O(e)(1) & (2). M.G.L. c. 71, s. 370(d).</p>	<ul style="list-style-type: none"> • Programs must amend handbooks/admission materials to include an age-appropriate summary of their new Bullying Prevention and Intervention Plan. • Program employee handbooks/policies and procedures must contain relevant sections of the Plan relating to the duties of educational staff and other staff. • Each year all programs must give parents and guardians annual written notice of the student-related sections of the local Plan. • Each year all programs must provide all staff with annual written notice of the Plan. • All programs must implement, for all staff, professional development that includes developmentally appropriate strategies to prevent bullying incidents; developmentally appropriate strategies for immediate, effective interventions to 	<p><u>Documentation:</u></p> <ul style="list-style-type: none"> • A description of the process the program followed to amend its' student admissions materials/handbook to include an age-appropriate summary of their Bullying Prevention and Intervention Plan. • A description of how the Bullying Prevention and Intervention Plan information was distributed. • A description of the professional

	<p>stop bullying incidents; information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying; research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; information on the incidence and nature of cyber-bullying; and internet safety issues as they relate to cyber-bullying.</p>	<p>development plan developed by the program for all staff for the 2010-2011 School Year and evidence of its implementation, to include dates, format(s) used and agenda(s) if appropriate. Please include which, if any, position(s) listed below are not associated with your program.</p> <p><u>Interviews:</u> All Staff, including:</p> <ul style="list-style-type: none"> • Admissions Coordinators • Athletic Coaches • Bus Drivers • Cafeteria Workers/Cooks • Clinical Staff • Custodians/Maintenance Workers • Direct Care Workers I & II Day (Academic) positions • Direct Care Workers I & II Residential positions • Nurses • Parents • Teachers
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Document #5: MASTER STAFF ROSTER FORM

AGENCY NAME: _____

SCHOOL PROGRAM NAME: _____

DATE OF SUBMISSION: _____

NOTE: One staff name per line; this master staff roster must indicate all FTE's that matches the last approved budget; Qualifications (degree or years of experience) only for UFR# 133 - 136.

UFR #	UFR Title	Total FTE(s)	POSITION TITLE WITHIN SCHOOL	FIRST AND LAST NAME OF PERSON CURRENTLY IN POSITION (INDICATE VACANCIES)	*QUALIFICATIONS (DEGREE OR YEARS OF EXPERIENCE)
101	Program Function Manager				
102	Program Director				
103	Assistant Program Director				
104	Supervising Professional				
105	Physician				
107	Registered Nurse/ Master's				
108	Registered Nurse				
109	Licensed Practical Nurse				
111	Occupational Therapist				
112	Physical Therapist				
113	Speech / Language Pathologist, Audiologist				

114	Dietician/Nutritionist				
115	Special Education Teacher				
116	Teacher				
117	Day Care Director				
118	Day Care Lead Teacher				
119	Day Care Teacher				
120	Day Care Assistant Teacher/Aides				
121	Psychiatrist				
122	Psychologist – Doctorate				
123	Clinician				
124	Social Worker - LICSW				
125	Social Worker - LCSW				
126	Social Worker - LSW				
127	Licensed Counselor				
130	Counselor				
131	Case Worker/Manager – Master’s				
132	Case Worker/Manager				
*133	Direct Care Program Staff Supervisor				
*134	Direct Care/Program Staff III				
*135	Direct Care / Program Staff II				
*136	Direct Care/Program Staff I				
137	Program Secretarial / Clerical				
138	Program Support – Housekeeping, Cook, Maintenance, Janitorial, Groundskeeper, Driver				

201	Direct Care Consultant				
202	Temporary Help				
206	Sub-Contract Direct Care				

Document #6: Student Record Selection Form

Number of student records	Selection Category	Student's Name	Parent(s) / Guardian(s) Name(s)
1			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

Document #7: Student Record Review Checklist

Private School Program:

Private School Program Reviewer: _____ Date: _____ ESE Reviewer: _____ Date: _____

Student Name: _____ Level/Grade: _____ Day/Residential (circle)

Student's Primary Language of Instruction: _____ Date of Enrollment in the Private School: _____

Home Language of Student's Parent: _____

Date of most recent IEP Review: _____ Date of most recent IEP Re-evaluation: _____ Beginning and ending dates of current IEP: _____

CHECKLIST KEY: Yes = Found by Reviewer, No = Not Found by Reviewer, or *NA = Determined to be Not Applicable by Reviewer

Information/Topic/Content Area	Private School Review <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
STUDENT RECORDS AND LOG OF ACCESS			
Are staff notes or reports regarding a student legibly dated and signed by persons making entries? [Criterion 18.1]	Yes No NA	Yes No NA	
If parts of the student record are separately located, is a separate log of access kept with each part? [Criterion 18.1]	Yes No NA	Yes No NA	
Does the log indicate all persons who have obtained access to the student record? [Criterion 18.1]	Yes No NA	Yes No NA	
Does the log indicate the name, position and signature of the person releasing the information? [Criterion 18.1]	Yes No NA	Yes No NA	
Does the log indicate the name, position and, if a third party, the affiliation if any, of the person who is to receive the information? [Criterion 18.1]	Yes No NA	Yes No NA	
Does the log indicate the date of access and the parts of the record to which access was obtained? [Criterion 18.1]	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
Does the log indicate the purpose of such access? [Criterion 18.1]	Yes No NA	Yes No NA	
*NOTE: Unless student record information is to be deleted or released, this log requirement shall not apply to authorized program personnel who inspect the student record, administrative office staff and clerical personnel who add information to or obtain access to the student record and the school nurses who inspect the student health record.			
IEP and RELATED MATERIALS			
Is there a current IEP issued by the responsible school district? [Criterion 8.5]	Yes No NA	Yes No NA	
Is the name of the responsible LEA(s) present on the IEP [Criterion 8.5]	Yes No NA	Yes No NA	
Is the meeting date of the IEP Team indicated in the IEP? [Criterion 8.5]	Yes No NA	Yes No NA	
Is the IEP start date noted on the IEP? [Criterion 8.5]	Yes No NA	Yes No NA	
Is the IEP expiration date noted on the IEP? [Criterion 8.5]	Yes No NA	Yes No NA	
Is there a parent, guardian or student (if over 18 years of age) signature consenting to the IEP present on IEP-8? [Criterion 8.5]	Yes No NA	Yes No NA	
Is the Team's determination of educational placement indicated and signed by parent, guardian or student if over 18 years on the PL-1? [Criterion 8.5]	Yes No NA	Yes No NA	
Is specific behavioral information applicable to this student contained in a behavioral management plan and/or behavioral intervention program (may be in IEP or separate)? [Criterion 9.1]	Yes No NA	Yes No NA	
Are functional behavioral assessments applicable to this student contained in the record? [Criterion 9.6]	Yes No NA	Yes No NA	
Are manifestation determination review documents applicable to this student contained in the record? [Criterion 9.6]	Yes No NA	Yes No NA	
Was a teacher knowledgeable about the student at the IEP meeting? [Criterion 11.4]	Yes No NA	Yes No NA	
Does the record contain IEP-related correspondence : e.g.	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
invitations to/requests for IEP meetings issued by the responsible school district? [Criterion 18.1]			
Does the record contain historical data , e.g., past IEPs, evaluations & assessments pertaining to past IEPs? [Criterion 18.1]	Yes No NA	Yes No NA	
PROGRESS REPORTS [PR Form preferred but not required]			
Are all Progress Reports clearly dated ? [Criterion 8.8]	Yes No NA	Yes No NA	
Do all Progress Reports include written information on the student's progress toward meeting the annual goals in the IEP? [Criterion 8.8]	Yes No NA	Yes No NA	
Is there a record of parties to whom Progress Reports are sent ? [Criterion 8.8]	Yes No NA	Yes No NA	
PARENT CONSENT FORMS			
Is consent for emergency medical treatment present in the record, and is it obtained annually? [Criterion 15.5]	Yes No NA	Yes No NA	
Is consent for participation in research, experimentation, fundraising, publicity, observation present in the record, if applicable? [Criterion 15.5]	Yes No NA	Yes No NA	
Is consent for administration of medications in the record and is it obtained annually? [Criterion 15.5]	Yes No NA	Yes No NA	
Is consent for use of restraint in the record, and is it obtained annually? [Criterion 15.5]	Yes No NA	Yes No NA	
Is there notification concerning curriculum that primarily involves human sexual education or human sexuality issues present in the record pursuant to the Parental Notification Law pursuant to Chapter 71, Section 32A, if applicable? [Criterion 15.5]	Yes No NA	Yes No NA	
SCHOOL DISTRICT RELATED INFORMATION			
Is there a written contract present in the record consistent with 603 CMR 28.06(3)(f)? [Criterion 5.2(a)]	Yes No NA	Yes No NA	
Are there documents in the record reflecting assessments and evaluations, and school district contacts and communications (not addressed elsewhere), including, e.g.: contact logs, notes on meetings, correspondence? [Criterion 18.1]	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
HEALTH			
Does the record contain information about medications the student is taking? [Criterion 16.5 (consents)]	Yes No NA	Yes No NA	
603 CMR 18.05(9)(g)(1) Dental examination Does the program, in cooperation with the student's parents and/or human service agency which is responsible for payment, make provision for each student to receive an annual comprehensive dental examination? [Criterion 16.7]	Yes No NA	Yes No NA	
105 CMR 200.100(B)(1) Physical examination Does the program ensure that every student be separately and carefully examined by a duly licensed physician, nurse practitioner or physician assistant upon admission (within one year prior to entrance to program or within 30 days after program entry) and every 3-4 years afterwards? [Criterion 16.7]	Yes No NA	Yes No NA	
105 CMR 200.100(B)(1) Physical examination Does the program require a written report from the physician(s) of the results of the examination and any recommendation and/or modification of the student's activity? [Criterion 16.7]	Yes No NA	Yes No NA	
105 CMR 200.400(B) Vision screening Does the program, in cooperation with the student's public school, develop a plan to ensure that vision screenings are conducted? The vision of each student in the program is to be screened in the year of program entry; annually through grade 5 (or by age 11 in ungraded classrooms); once in grades 6 through 8 (or ages 12 through 14 in ungraded classrooms); and once in grades 9 through 12 (or ages 15 through 18 in ungraded classrooms). [Criterion 16.7]	Yes No NA	Yes No NA	
105 CMR 200.400(C) Hearing screening Does the program, in cooperation with the student's public school, develop a plan to ensure that hearing screenings are conducted? The hearing of each student in the program is to be screened in the year of program entry; annually through grade 3 (or by age 9 in the case of ungraded classrooms); once in grades 6 through 8 (ages 12 through 14 in the case of ungraded classrooms); and once in grades 9 through 12 (ages 15 through 18	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
for ungraded class).			
G.L. c.71, § 57 Posture screening Does the program, in cooperation with the student's public school, develop a plan to ensure that postural screenings are conducted? Tests ascertaining postural defects shall be administered at least once annually in grades 5 through 9.	Yes No NA	Yes No NA	
Does the record contain recent required immunizations ? [Criterion 16.7]	Yes No NA	Yes No NA	
Does the record contain information about student allergies ? [Criterion 16.11]	Yes No NA	Yes No NA	
OTHER KEY INFORMATION			
Does the record contain notifications to parents, district, state agencies, etc. re use of restraints, suspensions, serious incidents, etc., including the ESE ? [Criterion 4.5]	Yes No NA	Yes No NA	
Does the record contain incident reports ? [Criterion 4.5]	Yes No NA	Yes No NA	
Are reports and records of use of time out and seclusion applicable to this student contained in the record? [Criterion 9.1(a)]	Yes No NA	Yes No NA	
Are reports and records of use of restraints applicable to this student contained in the record? [Criterion 9.4]	Yes No NA	Yes No NA	
Are reports and records of suspensions applicable to this student contained in the record? [Criterion 9.6]	Yes No NA	Yes No NA	
Are notices of planned or emergency terminations applicable to this student contained in the record? [Criterion 9.7]	Yes No NA	Yes No NA	
For students who have parents or guardians with limited English language skills, does the private school ensure that important information is sent to them in a timely manner and provided to them in a language they understand, either through written translations or through oral interpreters ? [Criterion 15.3]	Yes No NA	Yes No NA	
Does the record contain documentation of student's receipt of a copy of the school program's anti-hazing disciplinary policy approved by the program's Board of Directors? [Criterion 19]	Yes No NA	Yes No NA	

Summary Comments Regarding this Record:

Private School Program Reviewer:

Department of Elementary and Secondary Education Reviewer:

PLEASE PLACE ON TOP OF THE RECORD A PHOTOCOPY OF THE “SERVICE GRID” IEP-51.

PLEASE ADD TO THIS “GRID” THE NAME OF EACH STUDENT’S TEACHER, TEACHER AIDE, RELATED SERVICE PROVIDER, PARENT, OR OTHER POTENTIAL INTERVIEWEE KNOWLEDGEABLE ABOUT THE STUDENT. THIS WILL ENABLE THE DOE TEAM TO POSE CERTAIN QUESTIONS TO INTERVIEWEES FAMILIAR WITH THE STUDENT.

Document #8: Individual Staff File Review Checklist
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Private School Program:

Private School Program Reviewer: _____ Date: _____ ESE Reviewer: _____ Date: _____

Staff Member Initials: _____ Role: _____

Date of Hire: _____

CHECKLIST KEY: Yes = Found by Reviewer, No = Not found by Reviewer, or *NA = Determined to be not applicable by Reviewer

[Note: In some cases, schools may maintain a master record or similar mechanism for documenting all staff training. If this is the practice of the school, the master records must be made available to the ESE Reviewer during the Personnel Record Review. In such cases, the Department will verify through interviews that supervisors and evaluators actually know that that staff members have met all the training requirements]

Information/Topic/Content Area	Private School Review , if any <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
Orientation			
Are the date(s) of orientation to job (if hired after the year 2000) indicated? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the staff received Orientation ? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of school's philosophy was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of school's organization was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of school's program practices and goals was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of reporting abuse or neglect was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review , if any <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
Is there a record that the topic of behavior management was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of student runaways was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of emergency procedures was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
Is there a record that the topic of civil rights was covered in orientation training? [Criterion 12.1]	Yes No NA	Yes No NA	
CORI			
Is there a CORI check record and result for each staff person (employees, volunteers and transportation providers) whose responsibilities bring that staff person into direct and unmonitored contact with students (at initial hire, and within the last 3 years)? [Criterion 11.1]	Yes No NA	Yes No NA	
In-service Training			
Do the in-service training records show that this staff person (including new employees, interns and volunteers) participated in annual in-service training on average at least two hours per month ? [Criterion 12.2]	Yes No NA	Yes No NA	
Do the in-service training records show that this staff person participated in the following required annual in-service trainings on average of at least two hours per month? [Criterion 12.2]	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review , if any <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
<p>a. Reporting abuse or neglect of students to the Department of Children and Families and/or the Disabled Persons Protection Commission [Criterion 12.2] ;</p> <p>b. Disciplinary and Behavior Management Procedures used by the program, such as positive reinforcement, point/level systems, token economies, time-out procedures and suspensions and terminations; as well as Restraint Procedures including de-escalation methods used by the program [Criterion 12.2];</p> <p>c. Runaway policy [Criterion 12.2];</p> <p>d. Emergency procedures including, but not limited to, utilization of the alarm system, evacuations in instances of fire or natural disaster [Criterion 12.2]; and</p> <p>e. Civil rights responsibilities (discrimination and harassment) [Criterion 12.2].</p> <p>Where the following additional required in-service training topics provided annually <u>to this staff person IF this staff person is on the teaching staff?</u>: [Criterion 12.2]</p> <ul style="list-style-type: none"> • Massachusetts Curriculum Frameworks’ learning standards incorporated into Program’s instruction [Criterion 12.2] • Procedures for inclusion of all students in MCAS testing and/or alternate assessments [Criterion 12.2] • Student record policies and confidentiality 	<p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p>	<p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p>	

Information/Topic/Content Area	Private School Review , if any <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
<p>issues [Criterion 12.2]</p> <p>Where the following additional required in-service training topics provided annually <u>to this staff person IF this staff person is appropriate for such training based on his/her job responsibilities?</u>: [Criterion 12.2]</p> <ul style="list-style-type: none"> • CPR training and certification (minimum every two years) [Criterion 12.2] • Medication administration (including, but not limited to, administration of antipsychotic medications and discussions of medications students are currently taking and their possible side effects) [Criterion 12.2] • Transportation safety (for staff with transportation-related job responsibilities) [Criterion 12.2] • Student record policies and confidentiality issues (for staff who oversee, maintain or access student records) [Criterion 12.2] 	<p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p>	<p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p> <p>Yes No NA</p>	
Performance Evaluation			
Is there a copy of the staff person’s written performance evaluation? [Criterion 11.1]	Yes No NA	Yes No NA	
Professional Development Plan			
Is there a copy of the professional development plan in the Educational Administrator’s file, if applicable [Criterion 11.3]	Yes No NA	Yes No NA	
Is there a copy of the professional development plan in each professionally licensed General Education	Yes No NA	Yes No NA	

Information/Topic/Content Area	Private School Review , if any <i>circle one</i>	ESE Review <i>circle one</i>	Comments/Questions (indicate from/by whom) * Provide a written comment for any item determined by Reviewer to be not applicable
Teacher's and Special Education Teacher's files, if applicable? [Criterion 11.4]			

<p style="text-align: center;">Person completing observation:</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p>Date: _____</p> <p>Time: _____</p>	<p>Massachusetts Department of Elementary and Secondary Education Private School Program Review</p> <p>DOCUMENT #9: CLASSROOM AND FACILITIES OBSERVATION FORM</p> <p>Private School: _____</p> <p>Program Name: _____</p> <p><input type="checkbox"/> DAY PROGRAM <input type="checkbox"/> RESIDENTIAL PROGRAM</p> <p style="text-align: center;">Name of room:</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>(e.g., library, classroom, gym, therapy area etc.)</p>	<p>Staff Present during observation - include title(s):</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>Number of Students: _____</p> <p>Age/Level: _____</p> <p>Primary Disability: _____</p>
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<p style="text-align: center;">The room has:</p> <p style="text-align: center;">(circle)</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Posted Evacuation Signs</td> <td style="width:20%; text-align: center;">YES</td> <td style="width:20%; text-align: center;">NO</td> <td style="width:30%;"></td> </tr> <tr> <td>Two means of egress</td> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> <td></td> </tr> <tr> <td>Accessibility for mobility</td> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> <td></td> </tr> <tr> <td>Visually cued fire alarm (if applicable)</td> <td style="text-align: center;">YES</td> <td style="text-align: center;">NO</td> <td></td> </tr> </table> <p>NOTE: If any part of the program is not accessible to students with limited physical mobility, a plan and timetable is provided that describes how the school will make all programs and buildings accessible. Programs are asked to also maximize accessibility for parents/guardians, state agency staff and employees and potential employees any other person who may visit program. All schools must meet the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and state laws pertaining to architectural access.</p>	Posted Evacuation Signs	YES	NO		Two means of egress	YES	NO		Accessibility for mobility	YES	NO		Visually cued fire alarm (if applicable)	YES	NO		<p style="text-align: center;">Lessons/Activities Related to Curriculum Frameworks</p> <p style="text-align: center;"> <input type="checkbox"/> ENGLISH LANGUAGE ARTS <input type="checkbox"/> MATH <input type="checkbox"/> SCIENCE <input type="checkbox"/> ARTS <input type="checkbox"/> HISTORY/SOCIAL STUDIES <input type="checkbox"/> FOREIGN LANGUAGES <input type="checkbox"/> HEALTH </p> <p>Briefly describe lesson/activity observed:</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>
Posted Evacuation Signs	YES	NO															
Two means of egress	YES	NO															
Accessibility for mobility	YES	NO															
Visually cued fire alarm (if applicable)	YES	NO															

Physical Condition			Instructional Materials in the Room
Cleanliness	Acceptable <input type="checkbox"/>	Not Acceptable (DESCRIBE) <input type="checkbox"/> _____	Visual Materials/Supplies: (bulletin boards, chalk boards, books etc.) _____ _____ _____ Assistive Technology: (computers, auditory aides etc.) _____ _____ _____ _____
Ventilation	<input type="checkbox"/>	<input type="checkbox"/> _____	
Lighting	<input type="checkbox"/>	<input type="checkbox"/> _____	
Acoustics	<input type="checkbox"/>	<input type="checkbox"/> _____	
Maintenance	<input type="checkbox"/>	<input type="checkbox"/> _____	
Attractiveness	<input type="checkbox"/>	<input type="checkbox"/> _____	
Space	<input type="checkbox"/>	<input type="checkbox"/> _____	
Distractions	<input type="checkbox"/>	<input type="checkbox"/> _____	

ADDITIONAL FACILITY REQUIREMENTS [603 CMR 18.04]	YES	NO
“Time-out” rooms or areas are safe, in appropriate locations, and designed to ensure that students can be adequately supervised at all times.		
The private school ensures the safe and secure storage of kitchen equipment, including major appliances.		
The kitchen is maintained in a sanitary condition and garbage receptacles are emptied and cleaned daily.		
Floors, ceiling and walls are in good repair and are clean and free from sharp or protruding objects.		
All hot water pipes and radiators are protected by covers.		
Room temperatures are maintained at not less than 68 degrees Fahrenheit, when 0 degrees Fahrenheit outside, and at not more than the outside temperature when the outside temperature is above 80 degrees Fahrenheit.		
Administrative space is separate from classroom, staff, or parent conference areas.		
Outdoor spaces are free from hazards; surfaces are not covered by dangerous materials. Space is accessible to direct sunlight.		
Outdoor space areas have a barrier erected at least five feet tall if adjacent to dangerous areas.		
Outdoor areas are of sufficient size for the number of students served and not covered by dangerously harsh or abrasive materials.		



Massachusetts Department of Elementary and Secondary Education Program Quality Assurance Services

Form 1: NOTIFICATION / REQUEST FOR PRIOR APPROVAL OF SUBSTANTIAL CHANGES WITHIN A PRIVATE SPECIAL EDUCATION SCHOOL PROGRAM

Date of this notice: _____

Form 1: Revised 1/10

Directions: All Private Special Education School Programs must complete page 1 of this form and attach to it a narrative description addressing the applicable Notification or Request for Prior Approval of the substantial change(s). Include in the narrative the program's rationale for such change(s). Also include the required corresponding documentation listed on pages 2-3, and any other information that the program believes justifies such request(s). Please consult pages 4-5 of this form for Guidance.

Fax or send this notice to: Director, Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906 – Fax: 781-338-3710

Pursuant to 603 CMR 28.09(5)(c), this private special education school program is hereby providing written notification / requesting prior approval from the Department for the following reason(s):

NOTIFICATION TO ESE REQUIRED: Note the applicable specific timeline required for each notification

Immediate notification for:

- ___ unexpected building change as the result of an emergency
- ___ change in program's financial status that impacts either the health and safety of students or the service delivery to students
- ___ closure of a program

15 working days notification for:

- ___ each 10% decrease in enrollment of students based on the last approved ESE Program Budget
- ___ change in program's ownership
- ___ change in program's name
- ___ vacanc(ies) in approved staff positions not filled by another appropriately licensed or waived staff person, and that have a direct impact on the service delivery to students

PRIOR APPROVAL FROM ESE REQUIRED BEFORE CHANGES MAY OCCUR:

- ___ changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of building(s)
- ___ changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements
- ___ request to increase or decrease the ages of the students being served
- ___ request to change or add gender of students being served
- ___ each 10% increase in enrollment of students based on the last approved ESE Program Budget
- ___ adding, eliminating, or changing staff positions

Private School Program Agency: _____

Address: _____ Telephone: () _____

Name of Program: _____ Program Contact Person: _____

E-mail Address of Contact Person: _____ Telephone of Contact Person: () _____

Address of Program: _____ Telephone: () _____
___ Day School OR ___ Residential School

Name of Program Director: _____ Signature: _____

DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION ACTION
APPROVAL STATUS: Receipt Acknowledged on: _____ Approved on: _____ Denied on: _____

Approved Private Special Education School Program and Mid-cycle Review Procedures – 2011-2012 revised 8.3.11

Received by ESE on: _____	All required documentation received on: _____
Request for Change Approved on: _____	Request for Change Denied on: _____ (Reason attached.)
_____ (Liaison, Program Quality Assurance)	_____ (Supervisor, Program Quality Assurance) _____ (Director, Program Quality Assurance)

Private School Program Staff Completing Page 1 of this form can review the checklist below to ensure that information submitted to the Department is complete and that it responds to all Form 1 information requirements. Form 1: Revised 1/10

Necessary Information Required for Form 1's <u>NOTIFICATION:</u> <u>Required documentation for the monitoring criteria listed below can be found at</u> <u>http://www.doe.mass.edu/pqa/review/psr/instrument.doc</u>	
IMMEDIATE NOTIFICATION IS REQUIRED	
Unexpected building change as the result of an emergency Approvals, Licenses, Certificates of Inspection (criteria 2.2) EEC Licensure if applicable (criteria 2.3) Physical Facility/Architectural Barriers (criteria 13.4) Notification to parents/guardians and responsible school districts Anticipated return date to original location	
Change in program's financial status that impacts either the health and safety of students or the service delivery to students Current Student Roster (criteria 8.5) Staffing for Instructional Groupings (criteria 10.1) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Master Staff Roster (criteria 11.6)	
Closure of a program Current Student Roster (criteria 8.5) Written notification sent to funding sources Written notification sent to parents/guardians Date program is expected to close Transition status/plan for all students currently enrolled regarding new placements sought/secured Student Record transfer plan for all students enrolled and for all prior students Weekly or monthly updates to ESE on the Transition status/plan for all students enrolled Weekly or monthly updates to ESE on the Student Record transfer plan for all students	
15 WORKING DAYS NOTIFICATION IS REQUIRED	
Each 10% decrease in enrollment of students based on the last approved ESE Program Budget Current Student Roster (criteria 8.5) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Related Services Staff (criteria 11.5) Master Staff Roster highlighting positions that have been temporarily eliminated or reduced due to decrease in student enrollment, but that still meet approved staff to student ratios (criteria 11.6) Number of students currently enrolled in the program Last approved Program Budget including number of students ESE has approved for enrollment	
Change in program's ownership Master Staff Roster (11.6) Organizational structure (criteria 11.9)	
Change in program's name Organizational structure (criteria 11.9)	

<p>Vacanc(ies) in approved staff positions not filled by another appropriately licensed or waived staff person that have a direct impact on the service delivery to students Master Staff Roster (criteria 11.6) Notification letter sent to funding public school district(s) of students affected by vacanc(ies) Efforts school is making to fill vacanc(ies) Alternative methods for provision of services</p>	
<p>Necessary Information Required for Form 1's: <u>PRIOR APPROVAL:</u> <u>Required documentation for the monitoring criteria listed below can be found at</u> http://www.doe.mass.edu/pqa/review/psr/instrument.doc</p>	
<p>Changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of building(s) Approvals, Licenses, Certificates of Inspection (criteria 2.2) EEC Licensure if applicable (criteria 2.3) Physical Facility/Architectural Barriers (criteria 13.4) Library/Resource Room (criteria 13.7) Expected date construction will begin and will be completed and the impact on students, if any Expected date of onsite visit from ESE liaison Written assurance that students will not use the building until the Form 1 is approved by ESE</p>	
<p>Changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements Copy of program's proposed policy clearly identifying all changes to ESE previously approved policy Criteria number in ESE monitoring booklet and/or regulation number Method of dissemination to parents/guardians and funding sources after new and/or revised policy is approved by ESE</p>	
<p>Request to increase or decrease the ages of the students being served Program and Student Description (the 1st 5 bullets of criteria 1.2) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Ages currently approved to serve Ages proposing/requesting to serve</p>	
<p>Request to change or add gender of students being served Program and Student Description (the 1st 5 bullets of criteria 1.2) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Genders currently approved to serve Genders proposing/requesting to serve</p>	
<p>Each 10% increase in enrollment of students based on the last approved ESE Program Budget Current Student Roster (criteria 8.5) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Related Services Staff Roster (criteria 11.5) Master Staff Roster highlighting additional positions required to meet approved staff to student ratios resulting from increased student enrollment (criteria 11.6) Description of physical facility including how it will accommodate an increase of enrolled students (criteria 13.2) Number of students currently enrolled in the program Last approved Program Budget including number of students ESE has approved for enrollment Number of students by which enrollment will increase</p>	
<p>Adding, eliminating, or changing staff positions Current Master Staff Roster (criteria 11.6)</p>	

Proposed Master Staff Roster (criteria 11.6) Written notification that will be sent to funding sources once change has been approved by ESE	
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Form 1: Revised 1/10

Guidance for Completing Form 1: Notification/Request For Prior Approval of Substantial Changes Within A Private Special Education School Program Form 1: Revised 1/10

The Department of Elementary and Secondary Education (ESE) has developed this written guidance to private special education school programs in order to clarify reporting requirements for certain changes to its program(s) that are proposed and/or unexpected, as well as the supporting documentation that must be submitted with the Form 1. All private special education school programs seeking to make changes to its currently approved program(s) must complete a Form 1: Notification/Request For Prior Approval of Substantial Changes Within A Private Special Education School Program. All private special education school programs must attach a narrative description that directly pertains to the school's notification or request for prior approval of the substantial change(s). The narrative must include a rationale for such change(s). All private special education school programs must submit the required documentation referenced on pages 2 and 3 of this form. The applicable monitoring criteria that relates to that required documentation can be found at <http://www.doe.mass.edu/pqa/review/psr/instrument.doc>. Please note that the checklist has been developed as a tool for your school program to use, but is not required to be completed by your school program. While the private special education school programs do not need to complete nor submit the checklist, it is recommended that all schools refer to the documentation requirements in order to determine the appropriate documentation that needs to be submitted with the Form 1. It is important for the school to submit any other information it believes justifies such request(s).

ESE is requiring private special education school programs to make immediate notification in the following circumstances:

- An unexpected building change as the result of an emergency. This means any changes to a building (school or residence) due to unexpected circumstances such as a fire or flood. It is important for the school to clearly and completely describe the change, the impact of the change on enrolled students, the school's plan to address the change and to submit the required documentation indicated on page 2 of the checklist.
- A change in the program's financial status that impacts either the health and safety of students or service delivery to students. If, due to changes in the financial status of a school, a school can no longer provide the required staffing to maintain appropriate supervision of students and/or provide services to students as specified on their IEP's, it must make immediate notification to ESE and provide the required documentation indicated on page 2 of the checklist. The school must describe its current financial status and the manner in which it will address the financial issues as well as its written plan for ensuring the health and safety of students and/or provision of IEP services.
- Closure of a program. If, for whatever reason, a school needs to close suddenly or if a school is planning to close by a specified date, it must immediately notify ESE along with providing the required documentation on page 2 of the checklist. It is important for the school to develop and submit to ESE a written transition plan for all students enrolled in the school. This plan must include the school's outreach and collaboration with sending public school districts and other funding sources and the steps the school will take to ensure all students transition smoothly to an appropriate, alternate placement.

ESE is requiring private special education school programs to notify ESE within 15 working days of the following

circumstances:

- Each time there is a 10% decrease in enrollment of students based upon the number of students to be served by the school as indicated on the last ESE approved Program Budget. The school must describe how it is continuing to meet the needs of enrolled students and submit required documentation as indicated on page 2 of the checklist.
- A change in the program's ownership. If another individual or agency will assume ownership of the program it is important for the school to describe how this transition will take place and (if any) the impact this change of ownership may have on the structure of the school, its staffing and/or service delivery to students. A master staff roster and an organizational chart clearly indicating any changes to the staffing and/or structure of the school must be submitted as indicated on page 2 of the checklist.
- A change in the program's name. If the agency wishes to change the name of the program, the school must submit an organizational chart clearly indicating any changes to the staffing and/or structure of the school as indicated on page 2 of the checklist.
- Vacancies in approved staff positions not filled by another appropriately licensed or waived staff person that have a direct impact on the service delivery to students. It is important to note that notification must be made to ESE only if the vacancy results in students not receiving services as indicated on their IEP's. The school must clearly describe its alternative methods for providing these services to students while attempting to fill any vacant positions. While the school is able to temporarily fill a vacant position with a substitute teacher, it must notify ESE if substitute teachers are being used and must continue to document its efforts to fill the position with an appropriately licensed staff person. Of additional note is that schools must notify the sending public school districts of staff vacancies only for those students affected by the vacancy and not receiving services as indicated on their IEP's. A master staff roster addressing any changes made to staffing of the school due to such a vacancy must be submitted as indicated on page 2 of the checklist.

ESE is requiring prior notification and approval for the following circumstances:

- Changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of buildings. These changes represent changes to buildings/physical facilities that are planned and can include renovations to an existing building or constructing a new building. The school must submit all required documents as indicated on pages 2-3 of the checklist. It is important to note that ESE will thoroughly review this request along with all supporting documentation and will render an approval based upon the rationale provided and documentation submitted. Approval of this request will not result in any type of rate adjustment at the time of approval of the Form 1. If the school wishes to apply for approval of a rate adjustment directly resulting from a building change it may do so upon eligibility through the program reconstruction process. Approval of a Form 1 for building changes will not automatically result in ESE approval of a reconstruction application. ESE reserves the right to review all changes made and the impact such building changes may have on the school's rate upon the school's submission of a program reconstruction application.
- Changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements. These changes represent changes to ESE approved policies and procedures initiated by the school. Schools do not need to notify ESE of changes to existing policies and procedures that ESE is mandating. If a school determines that changes to an existing policy/procedures are necessary, it must clearly identify and outline any and all changes to its existing policy and submit a copy of the revised policy/procedures along with its Form 1 submission. The school must describe the anticipated impact the change will have on students (such as changes to behavior management policies and procedures) as well as staff (such as changes to personnel policies and procedures). The school must also describe its method of dissemination of the changes to any policies and procedures once approved by ESE. The school must inform ESE of its plan to communicate approved changes in policies and procedures to parents/guardians and funding sources.
- Request to increase or decrease the ages of the students being served. The school must submit all required documentation as indicated on page 3 of the checklist. It is important that the school fully describe in its Form 1 submission how it is prepared to meet the needs of either younger or older students in terms of student groupings, staffing and curriculum.

- Request to change or add gender of students being served. The school must submit all required documentation as indicated on page 3 of the checklist. The school must clearly describe any special provisions it must make in order to successfully accommodate and serve students of a different gender.
- Each time there is a 10% increase in enrollment of students based upon the number of students to be served by the school as indicated on the last ESE approved Program Budget. The school must describe how it is continuing to meet the needs of enrolled students and submit required documentation as indicated on page 3 of the checklist. ESE must be informed of staff changes resulting from an increase in student enrollment and the school's plan for continuing to meet all approved student to staff ratios.
- Adding, eliminating or changing staff positions. ESE recognizes there may be a need for schools to make changes to staff positions in order to be able to meet the ongoing needs of students enrolled in the program. The school must provide ESE with a detailed rationale for any proposed changes in staffing and must submit all required documentation as indicated on page 3 of the checklist. It is important to note that ESE will thoroughly review this request along with all supporting documentation and will render an approval based upon the rationale and documentation submitted. Approval of this request will not result in any type of rate adjustment at the time of approval of the Form 1. If the school wishes to apply for approval of a rate adjustment directly resulting from changes to staffing, it may do so upon eligibility through the program reconstruction process. Approval of a Form 1 for changes to staffing will not automatically result in ESE approval of a reconstruction application. ESE reserves the right to review any and all staffing changes made by the school and the impact such staffing changes may have on the school's rate upon the school's submission of a program reconstruction application. With its Form 1 submission, the school must also describe how it will provide written notification to all funding sources once the change in staffing has been approved by ESE.

Form 1: Revised

1/10



Massachusetts Department of Elementary and Secondary Education Program Quality Assurance Services

**Form 2:
PUBLIC AND PRIVATE DAY OR RESIDENTIAL SCHOOL PROGRAM
INCIDENT REPORT**

Directions: Complete Page 1 of this form. Attach a narrative description of 1) the specific incident described below, 2) the steps the school has taken to respond to this incident, and 3) the persons or agencies notified of such incident. Provide one incident report per student. Please review the “Checklist of Necessary Information for Incident Reports” on Pages 2 and 3 describing the documentation and action steps ESE expects for specified incidents.

Fax or send this Form 2 to: Director, Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906 – Fax: 781-338-3710

Public/Private School Name: _____ Student's Name: _____

Address: _____

Name of Program: _____ ESE Program Code Number (4-Digit): _____

Program Contact Person: _____ Telephone: () _____

Address of Program: _____ E-mail Address of Contact Person: _____

Day School **OR** Residential School
 Massachusetts Student **OR** Out-of-State Student

Name of Program Director: _____ Signature: _____

Date of this Incident Report: _____ Date of Incident: _____

Pursuant to applicable regulations and requirements this school is hereby providing immediate written notification to ESE

For Any Student (Massachusetts and Out-of-State Students):

- The death of any student (**Contact your assigned PQA Liaison or the “Liaison of the Day” 781-338-3700**)
- The filing of a 51-A report with DCF OR a complaint filed with the Disabled Persons Protection Commission, against the school or a school staff member, for abuse or neglect of any student
- Any action taken by a federal, state, or local agency that might jeopardize the school’s approval with ESE
- Any legal proceeding brought against the school or its employee(s) arising out of circumstances related to the care or education of any of its students regardless of state of residency

For Massachusetts Students Only:

- The hospitalization of a Massachusetts student (including out-patient emergency room visits) due to physical injury at school or previously unidentified illness, accident or disorder which occurs while the student is in the program
- Massachusetts student injury resulting from a motor vehicle accident during transport by school staff (including contracted staff) which requires medical attention
- Massachusetts student serious injury requiring emergency medical intervention resulting from a restraint
- Massachusetts student run away
- Emergency termination of a Massachusetts student under circumstances in which the student presents a clear and present threat to the health and safety of him/herself or others pursuant to 18.05(7)(d)
- Any other incident of a serious nature that occurs to a Massachusetts student

NOTE: The school must also provide immediate written notification to the responsible school district and to the parent/guardian for any incident described above, for both Massachusetts and Out-of-State Students.

Page 1 of 3, Form 2 revised 6/1/09

Public and Private School Staff Completing Page 1 of this form should review the “Checklist of Necessary Information for Incident Reports” below to ensure that information submitted to ESE is complete and that it responds to all incident reporting information requirements.

<p><u>Pages 2 and 3 to be completed by ESE only:</u> INTERNAL RECORD OF DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION ACTION:</p>	
<p>Incident Report Received by ESE on: _____ Incident Report Reviewed: _____</p>	
<p>ACTION TAKEN:</p>	
<p>____ Incident Report reviewed, and school’s action plan determined to be acceptable</p>	
<p>____ Follow-up telephone inquiry or e-mail contact with the program made on: _____</p>	
<p>____ Inquiry made by: _____ (Summary of telephone inquiry or e-mail contact attached.)</p>	
<p>____ Onsite visit pursuant to this report conducted on: _____ Conducted by: _____</p>	
<p>Site visit report and any notice of required corrective action issued to program on: _____ (Copy attached)</p>	
<p>_____ (Liaison, Program Quality Assurance Services)</p>	<p>_____ (Supervisor/Designee, Program Quality Assurance Services)</p>

Checklist of Necessary Information for Incident Reports:

FOR ANY STUDENT

<u>Required Documentation</u>	Received Acceptable	Not Submitted or Unacceptable
<p>Narrative description detailing the circumstances of the incident Must include events preceding incident, incident, and outcomes. Who? What? When? Where? How? Why?</p>		
<p>Specific procedure that staff followed is clearly described</p>		
<p>Required notifications provided Date, time and by whom. Examples: DCF, DPPC, EEC, ESE, Parents/Guardians, LEA, other involved agencies such as DMR and DMH</p>		
<p>Death of any student: Police/Coroner Investigation? Autopsy Report?</p>		
<p>The filing of a 51A report with DCF or a DPPC complaint alleging abuse or neglect of any student, against the school or a school staff member: Description of incident and actions taken by the school thus far, as well as actions planned to be taken by the school (school conducting investigation; DCF or DPPC conducting investigation; police investigating)? Copy of Internal Investigation Report? Copy of Police Report? Description of any disciplinary action the staff member received? Was the report screened in or out by DCF or DPPC? Copy of DCF or DPPC Report? Follow-up by school post investigation – were steps taken by school appropriate?</p>		
<p>Action taken that might jeopardize school’s approval with ESE OR Any legal proceeding brought against the school or its employee(s) arising out of circumstances related to the care or education of any of its students: <u>Examples</u> include change in EEC licensure status, Intake frozen, Investigation by another state agency, complaints or ongoing concerns from sending public school districts; and the arrest of a staff member. Report describes incident and actions taken by the school thus far, as well as actions planned to be taken by the school?</p>		

Investigation reports to determine outcome?		
Additional Information:		
Page 2 of 3, Form 2 revised 6/1/09		
Checklist of Necessary Information for Incident Reports:		
FOR A MASSACHUSETTS STUDENT		
<u>Required Documentation</u>	Received Acceptable	Not Submitted or Unacceptable
Narrative description detailing the circumstances of the incident Must include events preceding incident, incident, and outcomes. Who? What? When? Where? How? Why?		
Specific procedure that staff followed is clearly described		
Required notifications provided Date, time and by whom? Examples: DCF, DPPC, EEC, ESE, Parents/Guardians, LEA, other involved agencies such as DMR and DMH		
Out-patient emergency room visit or hospitalization of a Massachusetts student as a result of physical illness or injury; OR injury of a Massachusetts student during school-related motor vehicle accident that required medical attention; OR serious injury requiring emergency medical intervention as a result of a restraint: What hospital was student taken to? Who transported the student to the hospital? Who went with student? Did this individual stay with student at hospital? Will student return to the program? If yes, when? If no, where and why? Termination procedures followed? Was needed medical treatment sought promptly? Additionally, if motor vehicle accident – Were the details of the accident provided, including numbers of students and staff in the motor vehicle, circumstances under which the accident occurred, condition of the individuals involved in the accident? Copy of police report? Drivers license information of staff member? Transportation training of staff member? Any follow-up conducted by the school regarding details of the accident being communicated to the school community?		
Whenever a Massachusetts student runs away: What were the circumstances of the runaway (on independent time; climbed out window without knowledge of staff)? If known, when did student return? Where was student found and by whom? If did not return notification of liaison by phone of the details Staff to student ratio – what was staff assigned to student doing at the time of the runaway? What precautions were taken for student to return to school (hospital screening, time out space, restrictions at school, re-entry plan)? What specific steps the school will take to prevent future runaway occurrences?		
Emergency termination of a Massachusetts student consistent with 603 CMR 28.09(12)(b) and 18.05(7)(d): Description of clear and present danger? Written termination summary explaining the reasons for emergency termination? Efforts the school has made to maintain the student until the LEA is able to locate an appropriate placement? Copy of written termination notification sent to the school district/parent?		



Any other incident of a serious nature that occurs to a Massachusetts student:
 Examples include police involvement, community involvement and media coverage.
 Report describes incident and actions taken by the school thus far, as well as actions
 planned to be taken by the school?
 Investigation reports to determine outcome?

Additional Information:

Page 3 of 3, Form 2 revised 6/1/09

Massachusetts Department of Elementary and Secondary Education

75 Pleasant Street, Malden, Massachusetts 02148-4096

Telephone: (781) 338-3700
 TTY: N.E.T. Relay 1-800-439-2370

Physical Restraint Report

603 CMR 46.06(5)

NOTE: This report is required to be submitted to the Department of Elementary and Secondary Education, Director of Program Quality Assurance Services, by a publicly funded education day program after 1) physical restraint of a Massachusetts student lasting longer than twenty (20) minutes or 2) physical restraint of a Massachusetts student that results in serious injury requiring emergency medical intervention to a student or staff member. This report must be sent to the ESE within five (5) school working days of the restraint.

IDENTIFYING INFORMATION:

Name of School District, Charter School, Educational Collaborative or Approved Private Special Education Day:

Name of Student: _____ Date of restraint: _____

Date of birth: _____ Age: _____ Gender: M / F _____ Grade level: _____

Does student currently receive special education services? Yes: No:

Date of this report: _____ Site of restraint: _____

This report prepared by: _____ Position: _____

Address: _____ Telephone: () _____

Staff administering restraint:

Name: _____ Title: _____ Completed in-depth restraint training program:
 No Yes

Name of restraint methodology: _____

Name: _____ Title: _____ Received prior restraint training: Yes No
 Observers (if any): _____

Student's behavior and reaction during restraint:

Time restraint began: _____ Time restraint ended: _____

CESSATION OF RESTRAINT: How restraint ended (*check all that apply*):

- Determination by staff member that student was no longer a risk to himself or others
- Intervention by administrator(s) to facilitate de-escalation
- Law enforcement personnel arrived
- Staff sought medical assistance
- Other (*describe*): _____

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Description of any **injury** to student and/or staff and any medical or first aid care provided:

Incident report was filed with the following school district official: _____.

FOR EXTENDED RESTRAINTS (beyond twenty (20) minutes):

Alternatives to extended restraint that were attempted:

Outcome of those efforts:

Justification for administering extended restraint:

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary.)

The school will take the following action and/or disciplinary sanctions (*check as many as apply*):

- Review incident with student to address behavior that precipitated the restraint.
- Review incident with staff to discuss whether proper restraint procedures were followed.
- Consider whether follow-up is necessary for students who witnessed the incident.
- Conduct a local investigation of any complaint regarding this restraint (*describe investigation procedures*): _____
- Disciplinary action/sanctions taken by the program (*describe*): _____
- Contact with parents, responsible school district, other state agency (*describe*): _____

PARENT/GUARDIAN NOTIFICATION (*required for all reported restraints*):

Verbally informed of physical restraint on _____ by teacher/administrator/other or documented attempts to contact verbally (*describe*):

Written report sent within 3 school working days of administration of restraint to parent/guardian on _____ by _____ (*teacher/administrator/other*) at the following address:

Sent in native language of the parent/guardian (*language*): _____

Parent/guardian was offered opportunity to discuss the administration of physical restraint and/or disciplinary sanctions with teacher/administrator. Results of discussion (*Attach separate page if necessary*):

The required copy of the log of all physical restraints for all students in this day program is attached to this report for ESE review. This record of physical restraints is required to be maintained by the day program administrator or Principal for the 30-calendar day period prior to date of this reported restraint. The log must indicate dates of each restraint, student initials and length of each restraint.

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**Guidance Document:
Policies and Procedures Manual Table of Contents**

All approved public and private special education school programs shall maintain onsite a policies and procedures manual and shall provide written notice to parents of enrolled students that copies of such policies and procedures are available upon request.

The policies and procedures manual is to be plainly marked, kept onsite, and visible in reception area or other commonly visited area in program.

The program's policies and procedures manual must contain a policy for all subject areas, which must include, but are not limited to:

- Notification of Substantial Changes (Form 1) (Criterion 4.4);
- Immediate Notification (Form 2) (Criterion 4.5);
- Student Admissions (Criterion 5.1);
- Program Modifications and Support Services for Limited English Proficient (LEP) students (Criterion 8.4);
- IEP Progress Reports (Criterion 8.8);
- Less Restrictive Placement (Criterion 8.10);
- Behavior Management (Criterion 9.1);
- Student Separation Resulting From Behavior Management (Criterion 9.1(a));
- Physical Restraint (Criterion 9.4);

- 3-5 Day Suspensions (Criterion 9.5);
- 10+ Day Suspensions (Criterion 9.6);
- Terminations (Criterion 9.7);
- Supervision of Students (Criterion 11.11);
- New Staff Orientation and Annual In-Service Training (Criterion 12.1 and 12.2);
- Parent Involvement (Criterion 15.1);
- Parent Consent and Notification(Criterion 15.5);
- Registering Complaints and Grievances – parents, students and employees (Criterion 15.8); and
- Participation of the private or public school program, as well as school district representatives, at the IEP TEAM and other key meetings, including reviewing/revising the IEP (34 CFR 300.321).

Guidance Document: Health Care Manual Table of Contents

All approved public and private special education school programs shall maintain onsite a written and current Health Care Manual containing all required health-related policies and procedures. The program’s physician or a registered nurse shall aid the program in the development of the Health Care Manual, and shall approve the Health Care Manual. The manual must be readily available to all staff.

The Health Care Manual contains a letter/memorandum (dated within the past 12 months) documenting the approval of its contents by a licensed physician or registered nurse.

The Health Care Manual is accessible to all staff in administrative offices and the health center, infirmary or nurse’s office.

The program’s manual must contain a policy for all subject areas, which must include, but are not limited to:

- Physician Consultant (Criterion 16.2);
- Provision of Medical, Nursing, and Infirmary Care (Criterion 16.3);
- Emergency First Aid and Medical Treatment (Criterion 16.4);
- Administration of Medications (Criterion 16.5);

- Administration of Anti-psychotic Medications (Criterion 16.6);
- Preventive Health Care (Criterion 16.7);
- Protection from Exposure Based on Allergy to Food, Chemical or Other Material (Criterion 16.11); and,
- No Smoking Policy pursuant to G.L. c. 71, § 37H (Criterion 16.12).

NOTE: Approved Day Schools must follow the Department of Public Health regulations.