

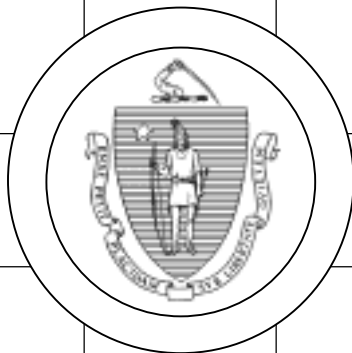


PACE Center School

**PRIVATE SPECIAL EDUCATION SCHOOL
PROGRAM REVIEW
REPORT OF FINDINGS**

**Dates of Onsite Visit: December 3-5, 2001
Date of Draft Report: January 24, 2002
Due Date for Comments: February 11, 2002
Date of Final Report: February 22, 2002
Action Plan Due: April 5, 2002**

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**MASSACHUSETTS DEPARTMENT OF EDUCATION
PRIVATE SPECIAL EDUCATION SCHOOL PROGRAM REVIEW**

PACE Center School

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MASSACHUSETTS DEPARTMENT OF EDUCATION

APPROVED PRIVATE SCHOOL PROGRAM REVIEW REPORT

OVERVIEW OF REVIEW PROCEDURES

INTRODUCTION

The Massachusetts Department of Education is required under MGL c. 71B, §10 to review special education programs in approved private special education schools that serve publicly funded students under the provisions of Board of Education Regulations 603 CMR 28.00 and 18.00. Each private school submits an application for approval by the Department of Education and periodically updates information included in the application on how special education services are provided. Each year, the Department's Program Quality Assurance Services unit conducts onsite visits to selected approved private schools to verify the implementation of their applications. The selected schools for 2001-2002 were notified in September 2001 of scheduled visits and were encouraged to assess themselves before the arrival of the Department's visiting team.

Private School Program Review Elements

Team: Depending upon the size of a private school and the number of programs to be reviewed, a team of two to three Department staff members conducts a Program Review over two to five days in the private school. In some instances, Massachusetts human service agency staff and a representative of the local school district may also participate on the visiting team.

Scope: Starting in FY 2001, all approved private schools in the Commonwealth will be monitored through the Department's Private School Program Review system on a six-year cycle with an additional mid-cycle followup visit. This six-year monitoring and followup cycle is coordinated with the Department's Approved Private School Application Renewal procedures.

Content: The Program Review criteria encompass key elements drawn from 603 CMR 18.00 and 28.00 and the private school's application for approval. The elements selected for the 2001-2002 reviews also include those required by the federal Office for Special Education Programs (OSEP) and revised requirements of the Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.* (IDEA-97) as described in the Department's Special Education Advisories issued during the 1997-2001 school years. Selected Program Review compliance criteria are aligned with the requirements and goals of the Massachusetts Education Reform Act of 1993, being intended to promote high standards and achievement for all students.

Report: The Department's Program Review Report is based on a review of documentation regarding the operation of the school's programs, together with information gathered through the following Department program review methods:

- Interviews of administrative, clinical, instructional and support staff across all grade levels.
- Interviews of Parent Group representatives.
- Other interviews as requested by personnel from state and local agencies and members of the general public.

- Review of student records: A sample of student records is selected for detailed review by the Department of Education. Student records are examined first by the school's staff and then verified by the onsite team using standard Department student record review procedures in order to make determinations regarding the implementation of procedural and programmatic requirements. Parents of students whose files were selected for the record review are provided an opportunity to be interviewed by telephone.
- Observation of classrooms and other facilities: A sample of instructional classrooms and school facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements.

Response: A detailed report of findings describes determinations about the implementation status of each requirement (criterion) reviewed. Included in the findings are commendations for those criteria that have been implemented in an exceptional manner. Where criteria are found not to be fully implemented, the private school must propose corrective action to bring those areas into compliance with the controlling statutes or regulations. Private schools are encouraged to incorporate the corrective action into their program improvement planning, as well as their professional and paraprofessional staff development plans.

The Department of Education believes that the Private School Program Review process is a positive experience and that the Final Report should be seen by the school and the general public as a helpful planning document for the continuing development of programs and services in the private school.

REPORT INTRODUCTION

A two-member Massachusetts Department of Education team visited Pace Center School during the week of December 3, 2001 to evaluate the implementation of selected compliance criteria under the Massachusetts Board of Education Regulations 603 CMR 18.00 (Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs) and 603 CMR 28.09 (Approval of Public or Private Day and Residential Special Education School Programs), MGL c. 71B (“Chapter 766”) and the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.*, as amended in 1997 (IDEA-97). The team appreciated the opportunity to interview staff and parents, to observe classroom facilities, and to review the program efforts underway in the school. The review team would like to commend the following features of the school that were brought to the attention of the Department and that the team believes have a significant and positive impact on the delivery of educational services for students enrolled at Pace Center School. These features are as follows:

The onsite team found that the commitment of the staff to the students was commendable. We found each staff member to be personally interested in the education and welfare of every student.

The onsite team wishes to commend the school on the progress made over the last year in implementing the educational program. Additionally, a collaborative process to develop a code of conduct resulting in an engaged student body.

During this school year the school has developed and put in place a program whereby PACE students can earn the opportunity to go to a local pre-school to read and work with young children. This program has become not only a behavioral incentive but also a self-esteem-building tool for the students.

The school provides a nutritional balanced breakfast to each student every day prior to the beginning of classes.

We wish also to commend the school on their family outreach efforts. This effort is showing itself to be a benefit to the students and their families.

Some of the commendations noted above are repeated within the body of the Department’s report under the appropriate compliance criteria.

The Department is submitting the following Private School Program Review Report containing findings made pursuant to this onsite visit. In preparing this report the team reviewed extensive documentation regarding the operation of the school's programs, together with information gathered by means of the following Department program review methods:

- Interviews of three administrative staff.
- Interviews of two clinical staff.
- Interviews of eight teaching and educational support services staff.
- Interviews of one representative of state and local agencies responsible for placement of students in the school.
- Student record review: A sample of ten Massachusetts student records was selected by the Department. Student records were first examined by the school’s staff and then verified by the onsite team using standard Department of Education student record review

- procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Observation of classrooms and other facilities: All instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report includes findings organized under the 18 compliance areas listed in the table of contents. The findings explain the “ratings,” or determinations by the team about the implementation status of the compliance criteria reviewed within each of the 18 areas. The ratings indicate those criteria that were found by the team to be substantially “Implemented” or implemented in a “Commendable” manner. (Refer to the “Definition of Terms” section of the report.) Where criteria were found to be either "Partially Implemented" or "Not Implemented," the private school must propose to the Department corrective action to bring those areas into compliance with the controlling statute or regulation. In some instances the team may have found certain requirements to be fully “Implemented” but made a specific comment on the school’s implementation methods that also may require response from the private school.

The private school is expected to incorporate the corrective action into any program improvement plans, including the school’s professional and paraprofessional staff development plan.

DEFINITION OF TERMS
FOR THE RATING OF EACH COMPLIANCE CRITERION

Commendable	The criterion is implemented in an exemplary manner significantly beyond the requirements.
Implemented	The requirement or criterion is substantially met.
Partially Implemented	The requirement, in one or several important aspects, is not entirely met.
Not Implemented	The requirement is totally or substantially not met.
Not Applicable	The requirement does not apply to the private school.

AREA 1: REQUIRED INFORMATION, NOTIFICATIONS AND POSTINGS

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">1.2</p> <p>Program & Student Description</p> <p>Program Capacity</p> <p>28.09(2)(b) (2, 3, 7)</p>	<p>The private school implements the following aspects of its programs and services as described in its program application which has been approved by the Department of Education:</p> <ul style="list-style-type: none"> a. Operational capacity; b. the identified population of students to be served, including the current and/or projected enrollment, ages of students and their educational and behavioral characteristics; c. philosophy, goals and objectives; d. mechanisms for the delivery of services.
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">1.3</p> <p>Program's Curriculum</p> <p>28.09(9)</p>	<p>The private school provides a description of the program's curriculum and general types of staff qualifications that have been established to meet all special education and related services included in students' Individualized Education Programs.</p> <p>Included in the private school's curriculum is a written plan that describes opportunities for students to participate in daily recreational and leisure activities that are appropriate to their ages, interests and needs.</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

AREA 2: ADMINISTRATION -- LEGAL AND FINANCIAL DOCUMENTATION

CRITERION NUMBER	Legal Standard
<p style="text-align: center;">2.2</p> <p>Approvals, Licenses, Certificates of Inspection</p> <p>28.09(2)(b)4-5</p> <p>28.09(5)</p> <p>28.09(6)</p> <p>18.04(1)</p> <p>102 CMR 3.06 (4)(b)</p>	<p>Each private school program maintains the following current licenses, approvals, and certificates of inspection by state and local agencies in a place available for public and employee review:</p> <ul style="list-style-type: none"> a. Building occupancy* b. Safety inspection in all buildings by the Department of Public Safety or local building inspector c. Annual fire safety inspection by local fire department* d. Lead paint inspection (if applicable);* (102 C.M.R. 3.06(4)(b): “All buildings, residential or otherwise, utilized by children age six years and under or with a mental age of six years and under shall be free of lead paint.”) e. Health safety* f. Approval by local school committee (per MGL c. 76, s. 1) g. Approval by OCCS to operate a group care facility or a special education day care center (if applicable)* h. Asbestos inspection i. PCB inspection j. Other inspections that may be required by local or state authorities k. (If applicable) a statement as to whether previous application has been made for approval, and the action on it <p>*A program with a residential component may submit the most recent OCCS license in fulfillment of those requirements marked with an asterisk (*).</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

AREA 3: ADMINISTRATION -- MANUALS AND HANDBOOKS

CRITERION NUMBER	Legal Standard
<p>3.1 3.2 3.3</p> <p>Policies and Procedures Manuals</p> <p>28.09(11)(b) 18.05(9)(d)</p>	<p>The private school maintains on site Policies and Procedures Manuals* that include:</p> <ol style="list-style-type: none"> 1. An overall manual containing policies and procedures including, but not limited to: <ol style="list-style-type: none"> a. Student Admissions b. Child Abuse/Neglect c. Student Discipline/Behavior Management d. Coordination/Collaboration with School Districts e. Emergency Procedures f. Educational Program Procedures g. Parent and Student Involvement h. Personnel Policies and Procedures i. Student Protections j. Student Records k. Research, Experimentation, Fund Raising, Publicity, Observation l. Suspension and Termination m. Staff Training n. Student Transportation and transportation safety 2. The program maintains a written and current health care policies and procedures manual containing all required health-related policies and procedures, and approved by the health care consultant. The manual is readily available to all staff and addresses the following: <ol style="list-style-type: none"> a. Training of all direct service staff by a certified instructor for CPR certification and in basic and emergency first aid; b. secure storage of adequate first aid supplies, including but not limited to bandages, body substance isolation gloves, gauze, adhesive tape, hydrogen peroxide or other cleaning solutions, and ipecac. First aid supplies are easily accessible in each major activities area; c. written procedures for providing first aid are kept with the first aid supplies; d. telephone numbers for the fire department, police station, poison prevention center, hospital emergency room and ambulance service serving the school in both living quarters and educational facilities (These should also be posted conspicuously throughout the buildings.); e. the procedures to be followed in the case of illness or emergency, including the transportation methods and notification of parents; f. the procedures to be followed in the case of fire or other emergency; g. a procedure for informing parents of any first aid administered to their child or of any injury or illness that required care other than first aid;

CRITERION NUMBER	
	<p style="text-align: center;">Legal Standard</p> <ul style="list-style-type: none"> h. the procedures to be followed in the case of illness or emergency if the parents cannot be reached; i. a plan to ensure that vision, hearing postural and other required screening are conducted in accordance with M.G.L. c. 71 s 57; j. a written policy developed by the school for protecting students from exposure to foods, chemicals and other material to which they may be allergic. k. narrative description of provision of medical, nursing, and infirmary care; l. a written policy describing the administration of medications, per DPH regulations; m. administration of anti-psychotic medications including, where appropriate, “Rogers Procedures”; n. notification to appropriate parties of student-specific health-related incidents, injury, hospitalization, death ; o. notification to appropriate parties of systemic health-related problems/issues; p. no smoking policy (see Assurance on this subject); q. plan for preventive health care of students; r. toileting procedures s. name and contact information for consultant physician and emergency contacts. <p>3. Special Education Regulations and Reference Materials contain at least the following documents:</p> <ul style="list-style-type: none"> a. Federal IDEA regulations: 34 CFR 300.300-.577 b. Appendix A to the above federal regulations. c. State regulations: 603 CMR 28.00 and 603 CMR 18.00 d. DOE IEP Process Guide and IEP Forms e. State restraint regulations (for day schools) <p>*Private schools shall provide written notice to parents of enrolled students that copies of policies and procedures are available upon request.</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p data-bbox="272 615 310 642">5.2</p> <p data-bbox="207 680 375 978">Policies and Procedures for Coordination and Collaboration with Public School Districts</p> <p data-bbox="212 1016 370 1146">28.06 (2-3) 28.09(9)(c)&(d) 28.09(2)(b)7</p> <p data-bbox="212 1184 370 1247">Federal Regulations:</p> <p data-bbox="212 1285 370 1381">34 CFR 300.349 and 300.400-401</p>	<p data-bbox="407 615 1401 779">The private school works collaboratively with the placing public school district to ensure that, to the maximum extent appropriate, children with disabilities are provided opportunities to be educated and to socialize with children who do not have disabilities, are provided access to the general education programs, and are given opportunities to return to a less restrictive educational program.</p>
	<p data-bbox="407 1392 675 1419">Rating: Implemented</p> <p data-bbox="922 1392 1341 1419">RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p data-bbox="272 1726 310 1753">5.3</p> <p data-bbox="207 1791 375 1950">Contents of Coordination and Collaboration with Public</p>	<p data-bbox="407 1726 1401 1822">The private school has policies/procedures that describe roles and responsibilities of all staff as well as general communication/coordination/collaboration procedures that address the following:</p> <ul style="list-style-type: none"> <li data-bbox="407 1860 1122 1887">a. consideration of possible placement, admissions process; <li data-bbox="407 1892 1284 1950">b. IEP development and implementation and roles in 3-year eligibility re-determinations;

CRITERION NUMBER	
	Legal Standard
<p>School Districts</p> <p>28.06(2-3) 28.07(5) 28.09(9)(c) &(d) 28.09(2)(b)(7)</p> <p>34 CFR 300.349 and 300.400-401</p>	<ul style="list-style-type: none"> c. Contents and general arrangements for executing contracts with placing school districts; d. Participation of the private or public school program as well as school district representatives at the TEAM and other key meetings, including reviewing/revising the IEP; e. Written progress reports; f. Documentation regarding student-related developments, including matters involving students’ behavioral plans, functional behavioral assessments, manifestation determinations, imposition of discipline, etc. g. Administration of tests; h. Preparations that are made for the student’s return to a public school or other less restrictive setting; i. Preparations for students approaching or reaching ages 14, 16 and 18, later education, and adult life, consistent with IDEA “transition” requirements and state age-of-majority law and j. school district monitoring of student progress.
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p>5.4</p> <p>Training</p> <p>18.05(11)(g) (h)</p>	<p>All staff with school district contact responsibility are trained regarding their particular roles and responsibilities.</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
6.2 School Days per Year 28.09(9)	The private special education program is conducted for the following days (exclusive of weekends, holidays, vacations): a. 10 month program- 180 days b. 11 month program- 198 days c. 12 month program- 216 days
	Rating: Implemented RESPONSE REQUIRED: No

AREA 7: EDUCATIONAL PROGRAM REQUIREMENTS -- CURRICULUM FRAMEWORKS AND STATE ASSESSMENTS

CRITERION NUMBER	
	Legal Standard
7.1 Curriculum Frameworks 28.09(9)(b)	<ol style="list-style-type: none"> 1. Private school personnel reflect a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance as well as the rights of students with disabilities to be full participants in the general curriculum. 2. The private school has either aligned its curriculum with the Frameworks or has taken steps to provide students (including all students with disabilities) with essential learning opportunities that prepare the students to reach the state graduation standards.
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Record review, interviews and observation indicated that the school is making efforts towards full curriculum alignment but as yet has not fully aligned their curriculum with the Massachusetts Curriculum Frameworks.

CRITERION NUMBER	
	Legal Standard
7.2 Staff Training 28.09(9)(b)	The private school shall ensure that all staff responsible for implementing services as specified on students' Individualized Education Programs have an understanding and knowledge of the general curriculum expectations and learning standards of the Massachusetts Curriculum Frameworks and shall incorporate such knowledge into the school's educational program.
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Interviews indicated that not all staff responsible for implementing services as specified on students' IEP's have a complete understanding and knowledge of the learning standards of the Massachusetts Curriculum Frameworks.

CRITERION NUMBER	
	Legal Standard
7.3 State/District Wide Assessments 28.09(9)(d)	The private school has written procedures outlining how the school will ensure that all enrolled students participate in state and/or district wide assessments in accordance with the assessment participation information provided on the student's IEP. Such procedures shall include how the approved program will provide for MCAS testing accommodations and/or administration of alternate assessments when required.
	Rating: Implemented RESPONSE REQUIRED: No

**AREA 8: EDUCATIONAL PROGRAM REQUIREMENTS -- INDIVIDUALIZED
EDUCATION PROGRAMS**

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">8.1</p> <p>Implement- ation -- Educational Services</p> <p>28.04 and 28.09(8)</p> <p>34 CFR 300.24</p>	<p>The private school specifies how each of the following educational services are implemented for the described student population of the school:</p> <ul style="list-style-type: none"> a. All Massachusetts Curriculum Frameworks b. Curriculum of the Placing District including high school graduation requirements c. Self-help, Daily Living Skills d. Social/Emotional Needs e. Physical Education; Adapted Physical Education f. Pre-Vocational, Vocational, and Career Education g. Other: any other specialized educational service(s) provided by the program
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Record review and interviews indicated that the school has not specified how (a) Massachusetts Curriculum Frameworks are implemented for the described student population of the school. The school has not completely implemented the Frameworks. See Section 7, Criterion 7.1 and 7.2.

CRITERION NUMBER	
	Legal Standard

CRITERION NUMBER	
	Legal Standard
<p>8.2</p> <p>Implementa- tion – Related Services</p> <p>28.04 and 28.09(8)</p> <p>34 CFR 300.24</p>	<p>The private school specifies how each of the following related services is implemented for the described student population of the school:</p> <ul style="list-style-type: none"> a. Transportation b. Braille Needs (blind/visually impaired) c. Assistive Technology Devices/Services d. Communication Needs (all students) e. Communication Needs (deaf/hard of hearing students) f. Language Needs (Limited English Proficient students) g. Physical Therapy h. Occupational Therapy i. Recreation Services j. Mobility/Orientation Training k. Psychological Services, Counseling Services, Rehabilitation Counseling Services, Social Work Services l. Parent Counseling and Training m. School Health Services, Medical Services n. Social Work Services o. Other (music therapy, sensory integration therapy) <p>(Related services are defined in the federal regulations as those services which are developmental and corrective as well as supportive services that <u>assist a child to benefit from</u> special education and/or access the general curriculum.)</p>
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Record review and interviews indicated that section (m), School Health Services, is not being provided.

CRITERION NUMBER	
	Legal Standard
<p>8.3</p> <p>Implementati on – Supplemen- tary Aids/Services</p> <p>34 CFR 300.28</p>	<p>The private school provides examples (through a list or narrative) of the kinds of supplementary aids and services that are available for students in the program.</p>

CRITERION NUMBER	
	Legal Standard
8.6 IEP Implementa- tion 28.09	The private school program implements all services on the students' IEP.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
8.7 IEP- Progress Reports 28.07(3) 20 U.S.C. Chapter 33, Section 1414(d)(1)(A) (viii) 34 CFR 300.347	<p>The private school program sends copies, at least quarterly, of education progress reports to the parents and public school. Such reports include written information on the student's progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.</p> <p>Copies of progress reports are maintained in student records, including documentation of persons or agencies receiving such reports.</p>
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Record review and interviews indicated that the quarterly progress reports do not include a narrative. The records did not indicate the extent to which such progress was sufficient to enable the student to achieve the goals by the end of the IEP period nor the persons or agencies receiving progress reports.

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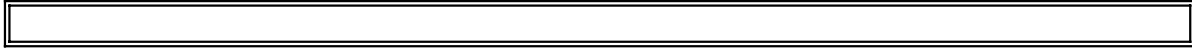
CRITERION NUMBER	
	Legal Standard
300.347(b)(1) 34 CFR 300.347(b)(2)	of interagency responsibilities or any needed linkages.
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Record review indicated that not all IEP's included the appropriate documentation describing transition needs and services.

CRITERION NUMBER	
	Legal Standard
8.11 IEP- Transition Services 28.05(4)(c)	<p>For students approaching graduation or the age of twenty-two, the private school's participant on the IEP Team provides sufficient information to the Team to enable the Team to determine whether the student is likely to require continuing services from adult human service agencies.</p> <p>The private school works with the responsible school district to make any necessary referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services (at least two years prior to the student's 22nd birthday) in accordance with the requirements of MGL c.71, §12A-§12C (known as Chapter 688).</p>
	Rating: Implemented RESPONSE REQUIRED: No

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



CRITERION NUMBER	
	Legal Standard
9.1 Policies and Procedures 18.05(5)	<p>The private school develops a comprehensive set of policies and procedures dealing with discipline and behavior management that meet all federal special education requirements, and all applicable state and federal requirements pertaining to the use of restraint. (See Criterion 9.4 below.) These policies and procedures are consistently implemented.</p>
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
9.2 Discipline Code IDEA-97	<p>The private school program participates with the responsible school district in the development of the student's IEP which indicates whether the student is or is not expected to meet the private school program's regular discipline code and, if not, what modifications are required.</p>
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
9.3	<p>The private special education program has developed a written policy, including a definition of runaways, appropriate for the school population and location, as well as</p>

CRITERION NUMBER	
	Legal Standard
Runaway Students 18.03(10)	<p>procedures for handling students who runaway.</p> <p>This policy is approved by the Department of Education.</p> <p>The school notifies the Department and parents immediately whenever any student runs away.</p>
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
9.4 Restraints 18.05 (5)(h) 603 CMR 46.00 102 CMR 3.00	<p>A private day educational program approved has developed a policy on the use of physical restraint and administers physical restraint in accordance with the requirements of 603 CMR 46.00.</p> <p>A residential educational program complies with the OCCS restraint requirements contained in 102 CMR 3.00 for all students enrolled in such program.</p> <p>A private school educational program within a program or facility subject to M.G.L. c. 123 or Department of Mental Health Regulations complies with the restraint requirements of M.G.L. c. 123, 104 CMR 27.12 or 104 CMR 28.05, where applicable.</p>
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Interviews indicated that at the time of the review the school was not implementing its policy on restraint.

CRITERION NUMBER	
	Legal Standard
<p>9.5</p> <p>3-5 Day Suspensions</p> <p>18.05(6)</p>	<p>Upon admission of a student, the private special education program provides a written policy on suspensions to the parents, and the school district and human service agency that placed the student. Such policy shall also contain the following:</p> <ol style="list-style-type: none"> a. 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. b. No student may be suspended and sent home unless a responsible adult is available to receive the student. c. 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. d. 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” is considered a suspension if the student’s IEP does not allow for the modification of learning time requirements of the Board of Education.</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p>9.6</p> <p>10+ Day Suspensions</p> <p>Joint responsibility-</p>	<p>The private special education program implements the following procedures when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days:</p> <ol style="list-style-type: none"> a. A request is made of the student's responsible school district to convene an IEP Team meeting, which includes representation from the private school, prior to a suspension that constitutes a change in placement of a student with disabilities; b. The private school participates in the Team meeting: <ol style="list-style-type: none"> (1) to develop or review a functional behavioral assessment of the student’s

CRITERION NUMBER	
	Legal Standard
Teacher Ratios 28.06(6)(d)&(g) 28.09(7)(e)	b. 12 students to one certified teacher with an aide.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
10.2 Age Range 28.06(6)(f)	The program ensures that the ages of the youngest and oldest child in any instructional grouping do not differ by more than forty-eight months (4 years). (NOTE: No waiver of this requirement can be approved by the Department of Education.)
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
10.3 Programs for Young Children	The program ensures that any and all substantially separate classrooms for young children (3 and 4 year olds) do not exceed nine (9) students with one teacher and one aide.

CRITERION NUMBER	
	Legal Standard
28.09(7)(e) 28.06(7)	
	Rating: Not Applicable RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
10.4 Student: Child Care Ratios 28.09(7) 18.01(2)	The program has a student to child care worker ratio of: a. not lower than 4:1 nor greater than 6:1 during non-“school day” waking hours, and b. not lower than 6:1 nor greater than 8:1 during sleeping hours.
	Rating: Not Applicable RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
10.5 Alternative Ratios 18.03(2)	Where applicable, the private special education program has submitted a justification for alternative ratios for student to childcare workers, and the Department has approved these.
	Rating: Not Applicable RESPONSE REQUIRED: No

AREA 11: EDUCATIONAL STAFFING REQUIREMENTS -- PERSONNEL POLICIES, QUALIFICATIONS, RESPONSIBILITIES

CRITERION NUMBER	
	Legal Standard
<p data-bbox="266 380 318 407">11.3</p> <p data-bbox="212 447 370 606">Educational Administrator Qualifications</p> <p data-bbox="224 646 358 674">28.09(7)(a)</p> <p data-bbox="228 714 354 810">603 CMR 44.00 and 44.04</p>	<p data-bbox="407 380 1403 506">The private school designates an educational administrator to supervise the provision of special education in the school and to ensure that the services specified in each student’s IEP are delivered. The educational administrator either has certification as a special education administrator or all of the following:</p> <ul style="list-style-type: none"> <li data-bbox="407 512 854 539">a. certification as a special educator; <li data-bbox="407 546 1325 573">b. a minimum of a master's degree in special education or a related field; and <li data-bbox="407 579 1073 606">c. a minimum of one year of administrative experience. <p data-bbox="407 646 1382 705">The educational administrator has been re-certified pursuant to the requirements of 603 CMR 44.00.</p> <p data-bbox="407 714 1268 772">The educational administrator has obtained supervisor approval of his/her Professional Development Plan per 603 CMR 44.04.</p>
	<p data-bbox="407 821 675 848">Rating: Implemented</p> <p data-bbox="922 821 1341 848">RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p data-bbox="266 1757 318 1785">11.4</p> <p data-bbox="204 1824 380 1957">Special Education Teachers and Regular</p>	<p data-bbox="407 1757 1403 1883">The private special education program ensures that all teaching staff have teaching certification appropriate to meet the needs of the population being served pursuant to the requirements of 603 CMR 7.00 and, additionally, adhere to the following requirements:</p> <ul style="list-style-type: none"> <li data-bbox="407 1890 1386 1957">a. All teaching staff are re-certified pursuant to the requirements of Massachusetts Board of Education regulations and are subject to the same requirements as

CRITERION NUMBER	
	Legal Standard
Roster 28.09(7)	
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
11.9 Organizational Structure 28.09(7) 28.07(c)	The program demonstrates that its organizational structure provides for the effective and efficient operation of the school, supervision of school staff and supervision of students.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
11.10 Supervision of Child Care Workers (Direct Care Staff) 18.03(4)	Each program provides for ongoing and regular supervision of all child care workers by a professional staff person who has supervisory and administrative responsibility within the school.
	Rating: Not Applicable RESPONSE REQUIRED: No

CRITERION NUMBER	
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AREA 12: EDUCATIONAL STAFFING REQUIREMENTS -- STAFF TRAINING

CRITERION NUMBER	Legal Standard
<p style="text-align: center;">12.1</p> <p style="text-align: center;">Staff Orientation Training</p> <p style="text-align: center;">18.05(11)(g)</p>	<p>The private special education program develops a written plan for staff orientation and provides an orientation-training program for all new staff to ensure an understanding of the school’s philosophy, organization, program, practices and goals.</p> <p>The written plan shall describe how newly hired staff are provided training on all required topics at the time of hire if the required topics have already been covered with existing staff.</p> <p>New staff are not be assigned direct care duties with students until they have participated in all mandated training through their orientation program.</p>
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicated that while new staff receive an overall orientation to the agency, they receive little or no orientation to the school.

CRITERION NUMBER	Legal Standard
<p style="text-align: center;">12.2</p> <p style="text-align: center;">Annual In-Service Training Plan and Calendar</p> <p style="text-align: center;">28.09(7)(f)</p> <p style="text-align: center;">18.05(11)(h)</p>	<p>The private special education program develops and implements a written plan for staff orientation and training that is consistent with the needs of the student population, appropriate to the role of each staff member and provides, on average, at least two (2) hours per month of relevant training for all staff including non-professional staff (child care workers/direct care staff on all shifts). Staff input is elicited and considered.</p> <p>The following topics are required in-service training topics and are offered annually to all staff providing direct care services to students:</p> <p>a. Reporting abuse and neglect of students to the Department of Social Services (51-A) and/or the Disabled Persons Protection Commission (See also, 12.2 (b), below.)</p> <p>b. Emergency first aid training by a certified instructor and, where specifically</p>

CRITERION NUMBER	
	Legal Standard
	<p>required by the Department of Education, certification in CPR (See also, 12.2 (c), below.)</p> <p>c. Medication administration (including, but not limited to, administration of antipsychotic medications, discussions of medications students are currently taking and their possible side effects) (See also, 12.2 (d), below.)</p> <p>d. Transportation safety (if applicable)</p> <p>e. Student record policies and confidentiality issues (See also, 12.2 (e), below.)</p> <p>f. Evacuation policies and emergency procedures including, but not limited to, utilization of the alarm system, evacuations in instances of fire or natural disaster (See also, 12.2 (f), below.)</p> <p>g. Behavior management policies and procedures used by the program such as positive reinforcement, point/level systems, token economies, time-out procedures (See also, Area 9 and 12.2(a))</p> <p>h. Restraint procedures including de-escalation methods used by the program (See also, 9.4 above.)</p> <p>i. Curriculum alignment with the Massachusetts Curriculum Frameworks, and</p> <p>j. Procedures for inclusion of all students in MCAS testing and/or alternate assessments.</p>
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Record review and interviews indicate that (c),(d,) (h)and (i) are not currently implemented.

CRITERION NUMBER	
	Legal Standard
<p>12.2 (a)</p> <p>Behavior Management and Restraint Training</p> <p>28.09(11)</p> <p>18.05(5)</p>	<p>Training of Behavior Management and Suspension and Termination procedures includes:</p> <p>a. Program’s student conduct/discipline code;</p> <p>b. Description of safeguards for students’ emotional, physical, and psychological well-being;</p> <p>c. Policies on use of time-out procedures;</p> <p>d. Techniques for dealing with disruptive and violent behavior including skill training on the proper use of non-violent restraint.</p> <p>e. Detailed procedures pertaining to the use of any type of restraint, which must meet or exceed any requirements in applicable state regulations or policy; (NOTE: OCCS residential regulations on behavior management, including restraint and time-out, are found at 102 CMR 3.07(7). The provisions relating to restraint are expanded in EOHHS/OCCS’s “Guidelines for Physical Restraint” issued 1/11/00. DMH regulations re restraint may apply to schools serving DMH clients. DOE Regulations on the Use of Restraints</p>

CRITERION NUMBER	
	Legal Standard
	<p>in Publicly Funded Education Programs [603 CMR Section 46.00] apply to a private day programs approved by the Department of Education where such program does not hold the approval of the Department of Education as a residential school.)</p> <p>f. Procedures for obtaining and recording data regarding student discipline and behavior along with a description of how such data will be integrated into IEP Team discussions.</p> <p>g. Procedures for obtaining parental consent, if appropriate.</p>
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicated that training in non-violent restraint procedures (d) and (e) are not being implemented.

CRITERION NUMBER	
	Legal Standard
<p>12.2 (b) Child Abuse Reporting 18.05(9)(j)</p>	<p>The program has written procedures and staff training for the reporting of suspected child/student abuse or neglect to the Department of Social Services (MGL c.119, s. 51A) and the Disabled Persons Protection Commission (MGL c. 19C). Such procedures include notification to the Department of Education when a report is filed against the program or its employee(s) or student(s).</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
12.2 (c) Emergency First Aid Training and CPR Certification 18.05(9)(e)	The program develops written policies and procedures for annual basic/emergency first aid training for all direct care staff. Where specifically required by the Department of Education, direct care personnel maintain appropriate CPR certification.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
12.2 (d) Medication Training 18.05(9)(f)(3)(c)	Training by a physician or registered nurse is given to all staff providing care and instruction to students receiving medication. The training includes the nature of the medication, potential side effects and any special precautions or requirements.
	Rating: Not Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Interviews indicated that the school has not provided training regarding the nature of medications used by their students, potential side effects or special precautions or requirements.

CRITERION NUMBER	
	Legal Standard
18.05 (11)(I)	
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Interviews indicated that while interns receive an overall orientation to the agency, they receive no orientation to the school. See Section 12, Criterion 12.1.

CRITERION NUMBER	
	Legal Standard
12.2(h) Child Care Staff Development and Training 18.03(3)	The private special education program develops and implements with staff input a detailed written plan for staff development and in-service training of all childcare workers.
	Rating: Not Applicable RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
12.2 (i) Staff Evaluations 18.05(11)(c)1.	Written performance evaluations are maintained on all staff. Personnel are evaluated annually.
	Rating: Implemented RESPONSE REQUIRED: No

AREA 13: PHYSICAL FACILITY AND EQUIPMENT REQUIREMENTS

CRITERION NUMBER	
	Legal Standard
13.1 Educational Facilities and Materials 29.09(8)	The private special education program provides the facilities, textbooks, equipment, technology, materials and supplies needed to provide the special education and related services specified on the IEPs of enrolled students.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
13.3 Physical Facility/ Architectural Barriers 18.04(8)	<p>The private special education program assures that 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 IEPs for such students. All schools receiving federal funds shall meet the requirements of Section 504 of the Rehabilitation Act of 1973.</p> <p>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 appropriate buildings accessible.</p>
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">13.4</p> <p>Kitchen, Dining, Bathing/ Toilet, and Living Areas</p> <p style="text-align: center;">18.04(2, 3, 4, 5)</p>	<p>The private special education program ensures 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> <ol style="list-style-type: none"> a. Maintain areas which are clean, well ventilated and free from hazards b. Provide students with equipment, supplies and materials (e.g., kitchen equipment, dining utensils, toilets, sinks, individual furniture and storage space) which are clean, safe and appropriate to the ages and needs of the students c. 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. d. Post a list of student food allergies in all appropriate areas of the residence.
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews and observations indicated that (d) was not implemented.

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;">13.5</p> <p>Classroom Space</p> <p style="text-align: center;">18.04(6)(a)</p>	<p>Each room or area that is utilized for the instruction of students is 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>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
13.6 Library/ Resource Room 18.04(6)(b)	<p>In addition to the regular instructional area, the school has a library or resource room (or comparable instructional resource area approved by the Department of Education) that contains a variety of materials appropriate to the age and abilities of the students enrolled.</p>
	Rating: Partially Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Observation indicated that the library in the school does not contain a variety of materials appropriate to the age and abilities of the students enrolled.

CRITERION NUMBER	
	Legal Standard
13.7 Indoor Space 18.04(7)(a)	<p>The school provides a minimum of thirty-five (35) square feet of activity space per student exclusive of classrooms, hallways, lockers, toilet rooms, isolation rooms, kitchen, closets, offices or areas regularly used for other purposes.</p> <p>Additionally, the program:</p> <ol style="list-style-type: none"> a. ensures that all areas, including but not limited to, floors, ceilings and walls, are clean, well maintained and free from safety hazards; b. protects all steam and hot water pipes by permanent screen guards, insulation, or any other suitable device which prevents students from coming in contact with them; c. maintains 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 d. designates space separate from classroom areas for administrative duties and staff or parent conferences.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
<p data-bbox="264 415 321 443">13.8</p> <p data-bbox="237 495 349 562">Outdoor Space</p> <p data-bbox="224 611 362 638">18.04(7)(b)</p>	<p data-bbox="407 415 1360 510">Outdoor play areas are accessible to direct sunlight and free from hazards and/or harsh or abrasive materials. If adjacent to a highway or other dangerous area, the outdoor play areas are fenced with a non-climbable barrier at least five feet high.</p> <p data-bbox="407 562 1390 625">The school shall maintain or have access to an outdoor play area of at least seventy-five square feet per student using it at any one time.</p>
	<p data-bbox="407 663 675 690">Rating: Implemented</p> <p data-bbox="922 663 1341 690">RESPONSE REQUIRED: No</p>

AREA 14: REQUIREMENTS FOR DAILY CARE

CRITERION NUMBER	
	Legal Standard
<p data-bbox="264 1188 321 1215">14.1</p> <p data-bbox="212 1251 373 1346">Clothing, Grooming and Hygiene</p> <p data-bbox="240 1388 345 1415">18.03(5)</p>	<p data-bbox="407 1188 1393 1314">The school makes provisions with parents or, where appropriate, state agencies to assure that all students are provided with clean, appropriate and seasonal clothing as well as personal grooming and hygiene articles and materials necessary to meet his/her individual needs.</p>
	<p data-bbox="407 1430 699 1457">Rating: Not Applicable</p> <p data-bbox="922 1430 1341 1457">RESPONSE REQUIRED: No</p>

AREA 15: PARENT AND STUDENT INVOLVEMENT

CRITERION NUMBER	
	Legal Standard
15.1 Parent Involvement and Parents' Advisory Group 18.05(4)(a)	<p>The private special education program has developed a written plan for involving parents. The private school has a Parents' Advisory Group that advises the group on matters that pertain to the education, health and safety of the students in the program.</p> <p>The program has designated a staff person to support the Parents' Advisory Group.</p>
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicated that the school does not have a designated staff person to support the Parents' Advisory Group.

CRITERION NUMBER	
	Legal Standard
15.2 Orientation Procedures 28.09(11)	<p>The school has developed and implemented orientation procedures for parents and students upon student admission to the program.</p>
	<p>Rating: Implemented RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
16.2 Physician Consultation 18.05(9)(a)	The school has secured the services of a licensed physician available for consultation.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	
	Legal Standard
16.3 Nursing 18.05(9)(b)	The school has secured the services of a registered nurse or a licensed practical nurse available as deemed necessary by the Department depending upon the health care needs of the school population. (See Criterion 3.2 above.)
	Rating: Not Implemented RESPONSE REQUIRED: Yes

Department of Education Findings:

Interviews indicated that at the time of the review the school did not have access to any nursing services as required by law, regulation or student health care needs.

CRITERION NUMBER	
	Legal Standard
<p data-bbox="266 380 318 407">16.4</p> <p data-bbox="220 449 363 506">Emergency First Aid</p> <p data-bbox="225 548 358 575">18.05(9)(e)</p>	<p data-bbox="407 380 1360 443">The school has developed written policies and procedures for emergency first aid and care including:</p> <ul style="list-style-type: none"> <li data-bbox="407 449 1117 476">a. training of all direct service staff in emergency first aid; <li data-bbox="407 483 1365 611">b. secure storage of adequate first aid supplies, including but not limited to bandages, body substance isolation gloves, gauze, adhesive tape, hydrogen peroxide or other cleaning solutions, and ipecac. First aid supplies are easily accessible in each major activities area; <li data-bbox="407 617 1354 644">c. written procedures for providing first aid are kept with the first aid supplies; <li data-bbox="407 651 1393 743">d. the posting of telephone numbers for the fire department, police station, poison prevention center, hospital emergency room and ambulance service serving the school in both living quarters and educational facilities; <li data-bbox="407 749 1378 842">e. the procedures to be followed in the case of illness or emergency (such as a motor vehicle accident), including the transportation methods and notification of parents; <li data-bbox="407 848 1263 875">f. the procedures to be followed in the case of fire or other emergency; <li data-bbox="407 882 1349 945">g. a procedure for informing parents of any medical care administered to their child or of any injury or illness that required care other than first aid; and <li data-bbox="407 951 1386 1014">h. the procedures to be followed in the case of illness or emergency if the parents cannot be reached.
	<p data-bbox="407 1031 675 1058">Rating: Implemented</p> <p data-bbox="922 1031 1341 1058">RESPONSE REQUIRED: No</p>

CRITERION NUMBER	
	Legal Standard
<p data-bbox="266 1369 318 1396">16.5</p> <p data-bbox="220 1438 363 1535">Administration of Medication</p> <p data-bbox="225 1577 358 1604">18.05(9)(f)</p>	<p data-bbox="407 1369 1398 1432">The school has developed and implements written policies and procedures regarding the administration of medication including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li data-bbox="407 1474 1386 1537">a. no medication is administered to a student without written authorization from a parent. Such authorization shall be renewed annually; <li data-bbox="407 1543 1406 1606">b. no prescription medication shall be administered to a student without the written order of the physician prescribing the medication to that student; <li data-bbox="407 1612 1406 1705">c. the school maintains written policies and procedures regarding prescriptions and administrations of medication including authorization, prepackaging and staff training; <li data-bbox="407 1711 1382 1774">d. any change of medication or dosage must be authorized by a new order from a physician; <li data-bbox="407 1780 1398 1906">e. a written record of the administration of prescribed medication to students shall be maintained. Such a record documents the side effects of medication and includes notification to attending physicians of changes in the student's behavior or health that may result from medication; <li data-bbox="407 1913 1360 1976">f. 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.

CRITERION NUMBER	
	Legal Standard
<p data-bbox="224 415 358 615">16.8 Receipt of Medical Treatment- Religious Beliefs</p> <p data-bbox="224 667 358 699">18.05(9)(k)</p>	<p data-bbox="407 415 1403 541">In the absence of an emergency or epidemic of disease declared by the Massachusetts Department of Public Health, the school does not require any student to receive medical treatment when the parents object thereto on the ground that such treatment conflicts with a religious belief.</p>
	<p data-bbox="407 720 1341 751">Rating: Implemented RESPONSE REQUIRED: No</p>

AREA 17: TRANSPORTATION SAFETY

CRITERION NUMBER	
	Legal Standard
<p data-bbox="224 1268 358 1394">17.1 Transporta- tion Safety</p> <p data-bbox="224 1436 358 1467">28.09(11)(b)</p>	<p data-bbox="407 1268 1341 1394">The program develops transportation procedures that ensure vehicles are safe, insured, and operated by qualified and trained individuals, and that students are transported in a safe manner that is responsive to individual student’s needs and provisions of their IEPs.</p> <p data-bbox="407 1436 1341 1499">In the event of a motor vehicle accident, parents, school districts, human service agencies, and the Department of Education are notified immediately.</p> <p data-bbox="407 1541 1403 1667">The school ensures that <u>any</u> person who is responsible for operating a vehicle owned or contracted for by the school and carrying students, shall receive in-service training on overall transportation safety and the individual needs of the students they transport.</p>
	<p data-bbox="407 1671 1349 1703">Rating: Not Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Interviews indicated that persons responsible for operating vehicles owned by the school do not receive an in-service training on overall transportation safety.

AREA 18: STUDENT RECORDS

CRITERION NUMBER	Legal Standard
18.1 Student Records 28.09(10)	The private school keeps current and complete files for each publicly funded enrolled Massachusetts student and maintains such files consistent with the Massachusetts Student Record Regulations (603 CMR 23.00) and MGL c. 71, s. 34H.
	Rating: Implemented RESPONSE REQUIRED: No

CRITERION NUMBER	Legal Standard
18.2 Student Records 28.09(10) MGL c.71, s. 34H 603 CMR 23.00 Family Educational Rights and Privacy Act (FERPA)	Student records are legibly dated and signed by persons making entries. Individual access logs are maintained for each record. All records contain: <ol style="list-style-type: none"> a. log of access consistent with requirements of the Massachusetts Student Record Regulations. 18.05(11)(a) b. face sheets with the following information: <ul style="list-style-type: none"> • Name • Date of birth • Recent picture • Date of admission to private school • Name of educational case manager • Location of residential service within facility (if applicable), and name of residential case manager or supervisor • Date initially eligible for special education (if known) • Date of most recent special education evaluation(s) • Date of next expected 3-year reevaluation • Starting and expiration dates of current (or most recent) IEP • Primary language of student • Legal status of student • If under 18: in custody of both parents, one parent [specify], legal guardian [specify], other [specify] • If 18 or over: makes own decisions; under legal guardianship [specify]; has shared role with parent in education decisions [specify] • Other state agency/ies involved with student: • Parent/guardian contact information: names, addresses, H & W

CRITERION NUMBER	
	Legal Standard
	<p>telephone numbers, e-mails</p> <ul style="list-style-type: none"> • Primary language of parents/guardian • Contact information of persons other than parents to be contacted in an emergency (names, addresses, telephone numbers) • Educational surrogate contact information (if applicable) • Date of last complete physical health examination by physician • Notation of allergies and/or any other medical condition affecting student's well-being, e.g., seizures • Medications • Information specific to this student re handling of medical emergencies <p>c. copy of IEP;</p> <p>d. copies of quarterly progress reports and any modification of the IEP;</p> <p>e. copy of the student's termination or discharge plan;</p> <p>f. health records, including reports, documentation of physical examinations, allergies, screening tests, results of medical care;</p> <p>g. all evaluations or assessments conducted of the student;</p> <p>h. pertinent correspondence concerning the student;</p> <p>i. information regarding the use of behavior management interventions including, but not limited to, restraint (chemical, mechanical, physical) and time-out procedures; and</p> <p>j. copies of all incident reports.</p>
	<p>Rating: Partially Implemented RESPONSE REQUIRED: Yes</p>

Department of Education Findings:

Review of records indicated that the name of the students' educational case manager was not included.

PRIVATE SCHOOL PROGRAM REVIEW REPORT 2002.doc

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Last Revised on: 2/19/02

Prepared by: PW, JR, CG