



**YOUTH OPPORTUNITIES UPHELD, INC. (YOU, INC.)**

- Cottage Hill Academy
- Kathleen Burns Prep School
- McGrath Educational Center

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

**Dates of Onsite Visit: March 15 - 19, 2004**

**Date of Draft Report: May 20, 2004**

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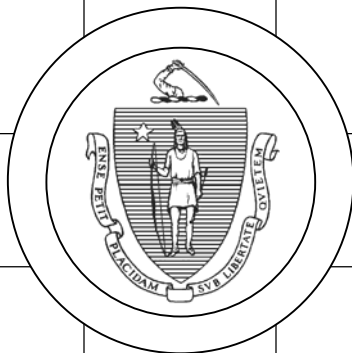
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**MASSACHUSETTS DEPARTMENT OF EDUCATION  
PRIVATE SPECIAL EDUCATION SCHOOL PROGRAM REVIEW**

**Youth Opportunities Upheld, Inc. (YOU, Inc.)**

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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 2003-2004 review cycle were notified in September 2003 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:** All approved private schools in the Commonwealth are monitored through the Department's Private School Program Review system on a six-year cycle with an additional mid-cycle follow-up visit. This six-year monitoring and follow-up 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 2003-2004 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 1997-2003 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 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 four-member Massachusetts Department of Education team visited YOU, Inc. during the week of March 15, 2004 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 YOU, Inc. These features are as follows:

*YOU, Inc. maintains excellent communication between students, staff, parents, agencies, and local communities*

*In the area of self-assessment, YOU, Inc. has developed systems to measure outcomes of programs. Database analysis is an ongoing process. The corporate culture of “the pursuit of excellence” ensures quality in the commitment to student progress. There are many taskforce initiatives to actively involve the Board of Directors in strategic planning.*

*The documentation, including the Policies and Procedures Manual, is very well organized and available to staff. Expectations are clearly described.*

*Staff are dedicated and committed to meeting the challenges of the diverse educational, clinical, and residential needs of the students. There is on-going administrative support and comprehensive training available to promote professional growth and development for all staff.*

*The “Student Outcome Rating System” tracks progress in all areas. The portfolio system involves each student in evaluating his/her individual progress towards learning standards.*

*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 twelve administrative staff.
- Interviews of twelve clinical staff.
- Interviews of seventeen teaching and educational support services staff.
- Interviews of two residential child care staff.
- Interviews of three Parent Group representatives who are parents of Massachusetts students enrolled in the school.
- Student record review: A sample of twenty-one 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: A sample of eighteen 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.

# PRIVATE SCHOOL PROGRAM REVIEW REPORT

## EXECUTIVE SUMMARY

### YOU, Inc.

The following summary synthesizes the findings for compliance standards included in this Private School Program Review Report. Note that a more detailed discussion of the onsite team's findings, together with the specific legal standards for each program area included in this review, follows this summary.

#### **Component I: Program Description**

YOU, Inc. has developed clear and comprehensive descriptions of its programs and students that include philosophy, goals and objectives, mechanisms for delivery of services and an identified population of students to be served. There are written individual plans to address the special needs for each student.

#### **Component II: Approvals, Licenses and Inspections**

YOU, Inc. maintains all current approvals, licenses and certificates of inspection by state and local agencies, which are available for public and employee review.

#### **Component III: Program Policies and Procedures**

YOU, Inc. has developed comprehensive policies and procedures that meet all criteria specified in the regulations. The Policies and Procedures Manual, Personnel Policies Manual and Health Care Manual are well organized and are updated to address current laws and regulations. Strategic planning for the Board ensures ongoing internal program evaluation.

#### **Component IV: Required Notifications**

YOU, Inc. consistently works with the Department of Education and makes required notifications of substantial changes to the program and physical plant. Written policies and procedures indicate that incidents, extended restraints and restraints resulting in student injury are reported to appropriate agencies and parents, which occurs usually but not always immediately. A computerized data system ensures information is accurate and consistent in all programs. There is currently no established system to ensure that responsible staff consistently provide immediate notification to parents and required agencies.

#### **Component V: Student Learning Time**

YOU, Inc. annually provides an average of 5.5 instructional hours per day, as required by law, for 216-day programs.

#### **Component VI: Curriculum and Instruction**

YOU, Inc. has programs designed to maximize students' performance and participation in the general curriculum, which includes a general curriculum that is continually evaluated and updated to ensure alignment with the Massachusetts Curriculum Frameworks. Teachers receive training to ensure a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance. YOU, Inc. ensures that students' rights include full participation in the curriculum, which meets all special education and related services needs indicated on students' IEPs.

YOU, Inc. ensures that all enrolled students participate in appropriate state and/or local district assessments. The portfolio system helps students to evaluate their individual progress towards learning standards. The Student Outcome Rating System tracks progress in all areas.

### **Component VII: Individualized Education Programs**

YOU, Inc. makes every effort to have a current, signed IEP for each enrolled Massachusetts student that has been issued by the responsible public school district, which reflects the needs of each student. YOU, Inc. ensures that students are receiving educational, related and supplementary services as specified on their IEP. Parents, guardians, sending school districts and involved agencies consistently receive quarterly progress reports that contain the required information and address student goals. Flexible procedures provide opportunities for students to gain the capacity to return to a less restrictive educational program.

For students who are 14 years of age or older, YOU, Inc. works with the responsible school district to ensure that the IEP includes a vision statement that reflects individual student needs and preferences. Transitional planning needs are addressed as appropriate.

### **Component VIII: Student Discipline and Behavior Management**

YOU, Inc. has developed a comprehensive set of written policies and procedures dealing with discipline and behavior management that meets all special education requirements and all applicable state and federal requirements pertaining to the use of restraint. The Department of Education onsite Team found, however, that YOU, Inc. has inconsistent policies dealing with runaway students and restraints among its program sites.

### **Component IX: Educational Staffing**

YOU, Inc. maintains appropriate staff-to-student ratios and age ranges throughout the day, evening and overnight hours. Teaching staff are appropriately licensed or hold current, valid waivers for the positions that they hold. Staff receive extensive ongoing professional development. YOU, Inc. has developed an organizational structure that provides for effective and efficient operation of the school and supervision of staff and students. There is great communication between staff and dedicated administrative support. YOU, Inc. has developed comprehensively written personnel policies and procedures, and implements them in all areas, except the provision of some staff coverage.

### **Component X: Staff Training**

YOU, Inc. has developed and implemented a comprehensive written plan for orientation of all new staff to ensure understanding of the school's philosophy, organization, program, practices and goals. There is a written plan for extensive ongoing staff training that is consistent with the needs of the student population and appropriate to the role of each staff member. Relevant training is provided, on average, at least two hours per month for all staff, as well as other professional development opportunities. YOU, Inc. seeks the input of staff members on training topics. All staff providing direct care services to students receive annual training on most of the Department's mandated training topics and would benefit from training on the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance. There are many staff incentives to pursue further education, including tuition reimbursement, salaries being incremental with credentials, and college professors being brought on-site to teach graduate courses.

### **Component XI: Facility and Equipment**

YOU, Inc. provides the facilities, textbooks, equipment, technology, materials, and supplies needed to provide the special education and related services specified on students' IEPs. The only exception to this is the lack of a library/resource room at McGrath. YOU, Inc. ensures that individuals with limited physical mobility have access to those areas of the school buildings and grounds to which access is necessary for the implementation of their IEPs.

### **Component XII: Nutritional Requirements**

YOU, Inc. staff understand the nutritional requirements of students enrolled in the program. YOU, Inc. provides training to staff on specialized dietary needs of students when appropriate. There are extensive nursing staff who monitor the specialized needs of students.

### **Component XIII: Parent and Student Involvement**

YOU, Inc. has developed a written plan to encourage parent participation, which includes establishing the Parents' Advisory Group. The PAC announcement is sent in Spanish, as appropriate. There are written orientation procedures for new parents, which include all necessary parental consents. Documentation of students' legal status is maintained, and YOU, Inc. takes all necessary steps to ensure student participation in the IEP Team process when appropriate. There is on-going communication between students, parents, staff, public school districts, and the community. Written grievance procedures regarding students' education and care have been developed and made available to parents and students.

### **Component XIV: Student Records**

YOU, Inc. keeps current and complete files for each publicly funded Massachusetts student. They are maintained in accordance with the Massachusetts Student Record Regulations and are well organized and comprehensive. The student face sheets contain all necessary information.

**DEFINITION OF TERMS**  
**FOR THE RATING OF EACH COMPLIANCE CRITERION**

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

**AREA 1: REQUIRED INFORMATION, NOTIFICATIONS AND POSTINGS**

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>1.2</b></p> <p><b>Program &amp; Student Description</b></p> <p><b>Program Capacity</b></p> <p><b>28.09(2)(b)</b> <b>(2, 3, 7)</b></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"> <li>a. Operational capacity;</li> <li>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;</li> <li>c. philosophy, goals and objectives;</li> <li>d. mechanisms for the delivery of services.</li> </ul>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>1.3</b></p> <p><b>Program's Curriculum</b></p> <p><b>28.09(9)</b></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><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>2.3</b>  <b>OCCS License (Not applicable to Day Schools)</b>	Each private school program has a current full license from the Office of Child Care Services (OCCS) (per 102 CMR 3.00) to operate as a residential school.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 3: ADMINISTRATION -- MANUALS AND HANDBOOKS**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>3.1</b> <b>3.2</b> <b>3.3</b>  <b>Policies and Procedures Manuals</b>  <b>28.09(11)(b)</b> <b>18.05(9)(d)</b>	<p>The private school maintains on site Policies and Procedures Manuals* that include:</p> <ol style="list-style-type: none"> <li>1. An overall manual containing policies and procedures including, but not limited to: <ol style="list-style-type: none"> <li>a. Student Admissions</li> <li>b. Child Abuse/Neglect</li> <li>c. Student Discipline/Behavior Management</li> <li>d. Coordination/Collaboration with School Districts</li> <li>e. Emergency Procedures</li> <li>f. Educational Program Procedures</li> <li>g. Parent and Student Involvement</li> <li>h. Personnel Policies and Procedures</li> <li>i. Student Protections</li> <li>j. Student Records</li> <li>k. Research, Experimentation, Fund Raising, Publicity, Observation</li> <li>l. Suspension and Termination</li> <li>m. Staff Training</li> <li>n. Student Transportation and transportation safety</li> </ol> </li> <li>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</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>staff and addresses the following:</p> <ul style="list-style-type: none"> <li>a. Training of all direct service staff by a certified instructor for CPR certification and in basic and emergency first aid;</li> <li>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> <li>c. written procedures for providing first aid are kept with the first aid supplies;</li> <li>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.);</li> <li>e. the procedures to be followed in the case of illness or emergency, including the transportation methods and notification of parents;</li> <li>f. the procedures to be followed in the case of fire or other emergency;</li> <li>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;</li> <li>h. the procedures to be followed in the case of illness or emergency if the parents cannot be reached;</li> <li>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;</li> <li>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.</li> <li>k. narrative description of provision of medical, nursing, and infirmary care;</li> <li>l. a written policy describing the administration of medications, per DPH regulations;</li> <li>m. administration of anti-psychotic medications including, where appropriate, “Rogers Procedures”;</li> <li>n. notification to appropriate parties of student-specific health-related incidents, injury, hospitalization, death ;</li> <li>o. notification to appropriate parties of systemic health-related problems/issues;</li> <li>p. no smoking policy (see Assurance on this subject);</li> <li>q. plan for preventive health care of students;</li> <li>r. toileting procedures</li> <li>s. name and contact information for consultant physician and emergency contacts.</li> </ul> <p>3. Special Education Regulations and Reference Materials contain at least the following documents:</p> <ul style="list-style-type: none"> <li>a. Federal IDEA regulations: 34 CFR 300.300-.577</li> <li>b. Appendix A to the above federal regulations.</li> <li>c. State regulations: 603 CMR 28.00 and 603 CMR 18.00</li> <li>d. The current DOE IEP Process Guide and IEP Forms</li> <li>e. State restraint regulations (for day schools)</li> </ul>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	*Private schools shall provide written notice to parents of enrolled students that copies of policies and procedures are available upon request.
	<b>Rating: Commendable</b> <b>RESPONSE REQUIRED: No</b>

**Department of Education Findings:**

*YOU, Inc. maintains both a comprehensive and current Policies and Procedures Manual and a Health Care Manual, which are clearly written and exceed the required elements.*

**AREA 4: DISCLOSURE OF INFORMATION**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>4.1</b> <b>Aspects of program, staff credentials, and student records</b> <b>28.09(5)(a)</b>	The private school makes available to the Department of Education 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.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>4.2</b>	The private school maintains on site and makes available for public view the following:

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Public Information and Postings</b>  <b>28.09(6)(a,b,c,d,e)</b> <b>28.09(2)(b)(4)</b>	a. Documentation of the current approval or intake status issued by the Department of Education and/or licensing status issued by the Office of Child Care Services, if appropriate; b. first aid, medical and emergency procedures, location of nearest telephones within each building, and emergency telephone numbers (must be posted in each building); c. evacuation routes and procedures (must be posted in each room); d. program information including a statement of purpose, general description of educational program and an organizational chart showing the current administrative structure of the private school, including the lines of authority and staff assignments; e. a notice that use of tobacco products is not permitted on school property or at any school related function; f. current tuition rate for students; g. evidence of authority to operate the private school including documents that identify ownership and, as applicable, partnership agreements, the names of officers and board members, charters, articles of organization and by-laws.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>4.4 Advanced Notice of Program/Facility Change</b>  <b>28.09(5)(c)</b>	Prior to any substantial change to the program or physical plant, the private school provides written notification to the Department to obtain approval. 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 IEP's. Examples of changes include, but are not limited to: a. any change (either an increase or reduction) in services or staff including temporary staff shortages, that results in a change from the previously approved student/teacher (or student/childcare) ratios and/or a change in the program or service delivery to students per their Individualized Education Programs; b. any ongoing difficulty in recruitment or maintenance of mandated staff that affect the care of and/or delivery of IEP services to students; c. building changes that affect the care of the students; d. major changes in the population to be served; e. any alteration of the service configuration of the program as last approved by the Department; and f. significant changes in policies or procedures.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>4.5</b></p> <p><b>Immediate Notification</b></p> <p><b>18.03(10)</b> <b>18.05(7)</b> <b>28.09(12)</b></p>	<p>The private school makes immediate notification to the parent, the public school district special education administrator, and any State Agency involved in the student care or placement (by telephone and letter), and the Department of Education (by telephone and Form 2) of the following incidents:</p> <ol style="list-style-type: none"> <li>a. the death of a student</li> <li>b. the hospitalization of a 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</li> <li>c. any motor vehicle accident causing student injury</li> <li>d. the in-patient psychiatric hospitalization of a student due to an emergency mental health crisis which occurs while the student is in the program</li> <li>e. <u>any</u> student injury resulting from a restraint which requires medical attention</li> <li>f. whenever any student is administered medication in an emergency situation</li> <li>g. whenever any student runs away</li> <li>h. emergency termination of a student including circumstances in which the student presents a clear and present threat to the health and safety of him/herself or others</li> <li>i. a written termination summary explaining the reasons for the emergency termination is sent to the parent(s), the student (if over 14 years of age) local Administrator of Special Education, officials of the appropriate Human Service Agency and the Department of Education</li> <li>j. the filing of a 51-A report with DSS, or a complaint to the Disabled Persons Protection Commission against the school or a school staff member for abuse or neglect of a student against a school staff member for abuse or neglect of a student</li> <li>h. any action taken by a federal, state or local agency that might jeopardize the school's approval with DOE</li> <li>i. any legal proceeding brought against the school or employee arising out of circumstances related to the care or education of any student in the school regardless of state of residency.</li> </ol>
	<p><b>Rating: Partially Implemented</b>                      <b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*YOU, Inc. has implemented most aspects of this standard, as indicated in the review of documentation and interviews. Notification is not always immediate, however, as there has not been an assignment of responsible staff within the Educational Programs to provide required notification. There are sometimes delays in notifying the Department of Education and parents of a runaway student, due to staff confusion with the school's current written definition of a runaway (see Criterion 9.3).*

**AREA 5: ADMISSIONS PROCEDURES AND COORDINATION/COLLABORATION  
WITH SCHOOL DISTRICTS**

CRITERION NUMBER	Legal Standard
<p style="text-align: center;"><b>5.1</b></p> <p style="text-align: center;"><b>Student Admissions</b></p> <p style="text-align: center;"><b>28.09(11)</b></p>	<p>The private school develops and implements written admissions criteria, policies and procedures that include the following:</p> <ul style="list-style-type: none"> <li>a. copies of the school’s policies and procedures that must be provided to the student (if appropriate), parents and the placing public school district prior to admission of the student;</li> <li>b. documentation from a licensed physician of a complete physical examination of the student not more than twelve (12) months prior to admission. In the event of emergency placements, the school shall make provisions for a complete examination of the student within thirty (30) days of admission;</li> <li>c. a complete and thorough description of the interview process; and</li> <li>d. consent forms.</li> </ul>
	<p><b>Rating: Implemented</b>                      <b>RESPONSE REQUIRED: No</b></p>

CRITERION NUMBER	Legal Standard
<p style="text-align: center;"><b>5.2</b></p> <p style="text-align: center;"><b>Policies and Procedures for Coordination and Collaboration with Public School Districts</b></p> <p style="text-align: center;"><b>28.06 (2-3)</b> <b>28.09(9)(c)&amp; (d)</b> <b>28.09(2)(b)7</b></p>	<p>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>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Federal Regulations: 34 CFR 300.349 and 300.400-401</b>	
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>5.3 Contents of Coordination and Collaboration with Public School Districts  28.06(2-3) 28.07(5) 28.09(9)(c) &amp;(d) 28.09(2)(b)(7)  34 CFR 300.349 and 300.400-401</b>	<p>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> <ol style="list-style-type: none"> <li>a. consideration of possible placement, admissions process;</li> <li>b. IEP development and implementation and roles in 3-year eligibility re-determinations;</li> <li>c. Contents and general arrangements for executing contracts with placing school districts;</li> <li>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;</li> <li>e. Written progress reports;</li> <li>f. Documentation regarding student-related developments, including matters involving students' behavioral plans, functional behavioral assessments, manifestation determinations, imposition of discipline, etc.</li> <li>g. Administration of tests;</li> <li>h. Preparations that are made for the student's return to a public school or other less restrictive setting;</li> <li>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;</li> <li>j. school district monitoring of student progress;</li> <li>k. the granting of "high school diplomas" consistent with Department of Education requirements; and</li> <li>l. the conditions for the issuance of any "certificates" of attendance or program completion by the private school.</li> </ol>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>5.5</b> <b>Staff</b> <b>Coordinator</b> <b>28.09(7)</b>	A senior person is designated to communicate and work effectively with all public school districts that have placed students in the program.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 6: EDUCATIONAL PROGRAM REQUIREMENTS -- STUDENT LEARNING TIME**

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>6.1</b>  <b>Daily Instructional Hours</b>  <b>603 CMR 27.00</b>	The private school provides an average annual minimum of the following instructional hours: a. Elementary: 5 hours per school day b. Secondary: 5 ½ hours per school day
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>6.2</b>  <b>School Days per Year</b>  <b>28.09(9)</b>	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
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>7.1</b>  <b>Curriculum Frameworks</b>  <b>28.09(9)(b)</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>7.2</b>  <b>Staff Training</b>  <b>28.09(9)(b)</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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>7.3</b>  <b>State/District</b>	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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Wide Assessments</b> <b>28.09(9)(d)</b>	IEP. Such procedures shall include how the approved program will provide for MCAS testing accommodations and/or administration of alternate assessments when required.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.1</b> <b>Implementation -- Educational Services</b> <b>28.04 and 28.09(8)</b> <b>34 CFR 300.24</b>	The private school specifies how each of the following educational services are implemented for the described student population of the school:  a. The content requirement of the 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
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*YOU, Inc. has provided all services listed above with the exception of physical education services (e) at McGrath, which have not been consistently implemented and documented.*



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.4</b> <b>Current IEP &amp; Student Roster</b> <b>28.09</b>	The private school has on file a current IEP for each enrolled Massachusetts student that has been issued by the responsible public school district and consented to by the student's parent(s) (or student in applicable situations) for each student enrolled in the program.
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*While YOU, Inc. makes every effort to have a current IEP on file, staff interviews indicate that not all IEPs are consented to before being implemented at Cottage Hill Academy.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.5</b> <b>Education Case Manager</b> <b>28.09</b>	The private school program assigns an educational case manager to each student.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.6</b> <b>IEP Implementation</b> <b>28.09</b>	The private school program implements all services on the students' IEP.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>8.7</b></p> <p><b>IEP- Progress Reports</b></p> <p><b>28.07(3)</b></p> <p><b>20 U.S.C. Chapter 33, Section 1414(d)(1)(A) (viii)</b></p> <p><b>34 CFR 300.347</b></p>	<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>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>8.8</b></p> <p><b>IEP- Revisions and Changes</b></p> <p><b>34 CFR 300</b></p>	<p>The private school notifies the responsible public school and parents whenever the IEP needs to be revised to reflect a change in goals, placement, or a return to a less restrictive setting.</p> <p>In no case does the private school conduct a Team meeting without the authorization and presence of an administrative representative of the responsible school district.</p> <p>In no case does the private school issue a new or revised IEP for a student.</p> <p>In no case does the private school provide notice of a Team meeting required by state and federal special education requirements. In no case does the private school conduct a Team meeting without the authorization and presence of an administrative representative of the responsible school district. In no case shall the private school issue a new or revised IEP for a student.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>28.05(4)(c)</b>	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 22 <sup>nd</sup> birthday) in accordance with the requirements of MGL c.71, §12A-§12C (known as Chapter 688).
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

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

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>9.1</b> <b>Policies and Procedures</b> <b>18.05(5)</b>	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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>9.2</b> <b>Discipline Code</b> <b>IDEA-97</b>	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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>9.3</b>  <b>Runaway Students</b>  <b>18.03(10)</b>	<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 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>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Based on interviews and review of documentation, while there are written policies and procedures pertaining to runaway students, they are not consistently understood and implemented by staff. The Department of Education is not always immediately notified. The policy and procedures need to more specific for the consistent application of regulatory requirements that include immediate notification to parents and the Department of Education.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>9.4</b>  <b>Restraints</b>  <b>18.05 (5)(h)</b>  <b>603 CMR 46.00</b>  <b>102 CMR 3.00</b>	<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>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Staff interviews indicate that at Cottage Hill Academy, some students had been restrained for non-compliance, not following directions, or being verbally threatening, which is not consistent with the requirements of CMR 603 46.04.*





<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	program follows the procedures required under 603 CMR 28.09(12)(b) and immediately notifies the Department of Education.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 10: EDUCATIONAL STAFFING REQUIREMENTS -- STUDENT:TEACHER AND STUDENT:CHILDCARE WORKER RATIOS**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>10.1</b>  <b>Student: Teacher Ratios</b>  <b>28.06(6)(d)&amp; (g)</b> <b>28.09(7)(e)</b>	Unless otherwise approved by the Department of Education, the private special education program ensures that instructional groupings do not exceed: a. 8 students to one certified teacher without an aide, or b. 12 students to one certified teacher with an aide.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>10.2</b> <b>Age Range</b>	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).

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>28.06(6)(f)</b>	(NOTE: No waiver of this requirement can be approved by the Department of Education.)
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>10.3</b> <b>Programs for Young Children</b> <b>28.09(7)(e)</b> <b>28.06(7)</b>	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.
	<b>Rating: Not Applicable</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>10.4</b> <b>Student: Child Care Ratios</b> <b>28.09(7)</b> <b>18.01(2)</b>	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.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>10.5</b> <b>Alternative Ratios</b> <b>18.03(2)</b>	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.
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

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

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>11.1</b> <b>Personnel Policies</b> <b>28.09(7)</b> <b>28.09(11)(f)</b> <b>18.05(11)</b>	<p>The private special education program has developed written personnel policies and procedures that describe:</p> <ol style="list-style-type: none"> <li>a. Criteria and procedures for hiring, written evaluations, suspension or dismissal of any staff person; and development of teacher and staff evaluation forms;</li> <li>b. Procedures for handling staff complaints;</li> <li>c. Provisions for vacations, holidays, leaves, sick days, and any other benefits offered by the program;</li> <li>d. A plan for using volunteer and/or intern services;</li> <li>e. Equal employment/educational opportunities/affirmative action in regard to race, color, creed, national origin, sex, sexual orientation and handicap; and</li> <li>f. Procedures for accessing, considering and acting upon Criminal Offender Record Information (CORI) for any prospective staff member whose responsibilities would bring them into direct contact with students in the program. <u>[NOTE: Massachusetts law also allows approved public and private special education school programs to obtain and review the CORI of <b>current employees</b>. Approved special education school programs should obtain CORI in regard to a current employee when, in the judgment of the program director, there is a reasonable basis for review of the employee’s CORI and the purpose of such a review is to ensure the health and safety of the students enrolled in the</u></li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	program. <u>For applicants or employees who reside outside of Massachusetts,</u> approved special education schools should obtain and review criminal record information from the state of residence of the applicant or employee on the same basis as it does for applicants and employees who reside in Massachusetts.]
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.2</b> <b>Administrative Responsibility</b> <b>18.05(11)(a)</b>	The private special education program designates one person who has administrative responsibility over the operation of the school. Where a school with more than 40 professional certified staff has one (or more) assistant administrator(s), the Department of Education has approved such positions.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.3</b> <b>Educational Administrator Qualifications</b> <b>28.09(7)(a)</b> <b>603 CMR</b>	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: a. certification as a special educator; b. a minimum of a master's degree in special education or a related field; and c. a minimum of one year of administrative experience.  The educational administrator has been re-certified pursuant to the requirements of 603 CMR 44.00. The educational administrator has obtained supervisor approval of his/her

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>44.00 and 44.04</b>	Professional Development Plan per 603 CMR 44.04.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.4 Special Education Teachers and Regular Education Teachers 28.09(7)(b)(c) 18.05(11)(f)</b>	<p>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>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 teachers in Massachusetts public schools and obtain supervisor approval of Professional Development Plans pursuant to 603 CMR 44.04.</li> <li>b. At least half of the teaching staff is certified in special education areas appropriate to the population served at the school; other teaching staff are certified as appropriate in other educational areas in order to provide for content expertise in the general curriculum.</li> <li>c. Where required by the Department of Education, the private school employs a higher proportion of certified special educators where the population of students requires more specialized services.</li> <li>d. To the extent that teaching staff is providing special education services, such services are provided, designed, or supervised by a special educator.</li> </ul>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.5 Related Services Staff</b>	All staff providing or supervising the provision of related services are appropriately certified, licensed or registered by their respective state boards or professional associations.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>28.09(7)(d)</b>	
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.6</b> <b>Master Staff Roster</b> <b>28.09(7)</b>	The private school maintains a master list of ALL staff for every position within the program. This list includes job titles together with corresponding UFR title numbers and full-time equivalents (FTE's).
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.9</b> <b>Organizational Structure</b> <b>28.09(7)</b> <b>28.07(c)</b>	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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented                      RESPONSE REQUIRED:                      Yes</b>

**Department of Education Findings:**

*According to interviews and review of documentation, YOU, Inc. has written policies and procedures for staff coverage. This plan, however, is not always followed at McGrath when there are staff absences. No substitute list is maintained, and it was noted that on at least one occasion, there were five teachers out and one substitute to cover.*



CRITERION NUMBER	
	<b>Legal Standard</b>
<b>18.05(11)(h)</b>	<p>(51-A) and/or the Disabled Persons Protection Commission (See also, 12.2 (b), below.)</p> <ul style="list-style-type: none"> <li>b. Emergency first aid training by a certified instructor and, where specifically required by the Department of Education, certification in CPR (See also, 12.2 (c), below.)</li> <li>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.)</li> <li>d. Transportation safety (if applicable)</li> <li>e. Student record policies and confidentiality issues (See also, 12.2 (e), below.)</li> <li>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.)</li> <li>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))</li> <li>h. Restraint procedures including de-escalation methods used by the program (See also, 9.4 above.)</li> <li>i. Curriculum alignment with the Massachusetts Curriculum Frameworks,</li> <li>j. Procedures for inclusion of all students in MCAS testing and/or alternate assessments; and</li> <li>k. Civil rights responsibilities</li> </ul>
	<p><b>Rating: Commendable</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

**Department of Education Findings:**

*YOU, Inc. provides its staff with all of the mandated areas of training. Additionally, there are staff incentives of tuition reimbursement and salaries are incremental with credentials. College professors are brought on-site to teach graduate courses to encourage further education.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>12.2 (a)</b></p> <p><b>Behavior Management and Restraint Training</b></p>	<p>Training of Behavior Management and Suspension and Termination procedures includes:</p> <ul style="list-style-type: none"> <li>a. Program’s student conduct/discipline code;</li> <li>b. Description of safeguards for students’ emotional, physical, and psychological well-being;</li> <li>c. Policies on use of time-out procedures;</li> </ul>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Emergency First Aid Training and CPR Certification</b>  <b>18.05(9)(e)</b>	Department of Education, direct care personnel maintain appropriate CPR certification.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.2 (d) Medication Training</b>  <b>18.05(9)(f)(3) (c)</b>	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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.2 (e) Student Record Training</b>  <b>28.09(10)</b>	The private school keeps current and complete files for each publicly funded enrolled student and manages such files consistent with the Massachusetts Student Record Regulations (603 CMR 23.00) and MGL c. 71, s. 34H.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>and Training 18.03(3)</b>	
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

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

<b>AREA 13: PHYSICAL FACILITY AND EQUIPMENT REQUIREMENTS</b>
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<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.1 Educational Facilities and Materials 29.09(8)</b>	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.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.5</b> <b>Classroom Space</b> <b>18.04(6)(a)</b>	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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.6</b> <b>Library/ Resource Room</b> <b>18.04(6)(b)</b>	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.
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Based on observation and interviews, while the other programs have designated spaces, McGrath does not have a library or resource room.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.7</b> <b>Indoor Space</b> <b>18.04(7)(a)</b>	<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> <ul style="list-style-type: none"> <li>a. ensures that all areas, including but not limited to, floors, ceilings and walls, are clean, well maintained and free from safety hazards;</li> <li>b. protects all steam and hot water pipes by permanent screen guards, insulation, or</li> </ul>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>and Hygiene</b> <b>18.03(5)</b>	
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>14.2</b> <b>Food and Nutrition</b> <b>18.03(7)</b>	The school's staff understands the nutritional requirements of the students enrolled and provides an appropriate number of meals daily (three meals daily for residential programs), at reasonably appropriate times, which constitute a nutritionally adequate diet.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>14.3</b> <b>Toileting Procedures and Individual Plans</b> <b>18.03(8)</b>	For enrolled students who are incontinent, the private school develops and implements a written plan describing required procedures including regular toileting and diapering, disposal or laundering of soiled clothing or diapers and protecting the personal privacy of all students.  Toilet training plans are developed based on parental input, the IEP and the student's physical and emotional abilities.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>





<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>34 CFR 300.344</b>	
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>15.6 Consent at Age of Majority  28.07(5)</b>	<p>One year prior to the student’s reaching age eighteen, the program works collaboratively with the responsible school district to ensure consent is obtained from the student to continue the special education program upon turning age eighteen, or to ensure that another mechanism is in place to obtain consent, i.e.:</p> <ul style="list-style-type: none"> <li>a. the parent or other legally eligible party has petitioned and been appointed guardian by a court of competent jurisdiction;</li> <li>b. the student chooses to share decision-making with his or her parent;</li> <li>c. the student chooses to delegate continued decision-making to his or her parent or other willing adult.</li> </ul> <p>(See also Criterion 15.3.)</p>
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>15.7 Registering Complaints  18.05(1)(b)16</b>	<p>The private special education program has developed and made available to parents and students written procedures that may be used to register complaints regarding the student’s education and care at the facility.</p>
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

**AREA 16: HEALTH AND MEDICAL SERVICES**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>16.1</b></p> <p><b>Health Care Policy and Procedure Manual</b></p> <p><b>18.05(9)(c)</b> <b>18.05(9)(d)</b></p>	<p>The school has a comprehensive, written health care policies and procedures manual that clearly describes provisions made for medical, nursing and infirmary care of students. This manual is approved by the health care consultant, includes all applicable policies and procedures, and is made available to staff.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>16.2</b></p> <p><b>Physician Consultation</b></p> <p><b>18.05(9)(a)</b></p>	<p>The school has secured the services of a licensed physician available for consultation.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>16.3</b></p>	<p>The school has secured the services of a registered nurse or a licensed practical nurse</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Nursing</b> <b>18.05(9)(b)</b>	available as deemed necessary by the Department depending upon the health care needs of the school population. (See Criterion 3.2 above.)
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.4</b> <b>Emergency First Aid</b> <b>18.05(9)(e)</b>	The school has developed written policies and procedures for emergency first aid and care including: a. training of all direct service staff in 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. 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; 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; f. the procedures to be followed in the case of fire or other emergency; 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 h. the procedures to be followed in the case of illness or emergency if the parents cannot be reached.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.5</b> <b>Administra-</b>	The school has developed and implements written policies and procedures regarding the administration of medication including, but not limited to, the following:



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>e. 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;</p> <p>f. 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 parent(s), parental consent (in writing or in a witnessed conversation) 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> <p>g. 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).</p> <p>h. the school 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 school shall specify and follow procedures if the student refuses to consent to administration of the medication.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p><b>16.7</b></p> <p><b>Preventive Health Care</b></p> <p><b>18.05(9)(f)(9)(h)</b></p>	<p>The school has developed and implements a written plan for the preventive health care of students including, but not limited to:</p> <p>a. provision for each student to receive an annual comprehensive medical and dental examination;</p> <p>b. vision, hearing, postural and other required screening are conducted in accordance with M.G.L. c.71 s.57;</p> <p>c. ensuring that all students have necessary immunizations as required by the Department of Public Health;</p> <p>d. 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; the school shall notify all parents and referring agencies of the reported communicable</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>disease within the school;</p> <p>e. provision of a locked, secure cabinet to keep all toxic substances, medications, sharp objects and matches out of the reach of students. Medications and medical supplies are not locked in the same cabinet as other toxic substances. Toxic substances are labeled with contents and antidote (The phone number for the nearest poison center is posted clearly.);</p> <p>f. provision of family planning information, subject to any applicable state or federal legislation; and</p> <p>g. protecting a student from exposure to foods, chemicals, or other materials to which they are allergic.</p>
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p><b>16.8</b> <b>Receipt of Medical Treatment-Religious Beliefs</b></p> <p><b>18.05(9)(k)</b></p>	<p>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>
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>AREA 17: TRANSPORTATION SAFETY</b>
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<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>17.1</b>	The program develops transportation procedures that ensure vehicles are safe,

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Transportation Safety</b>  <b>28.09(11)(b)</b>	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.  In the event of a motor vehicle accident, parents, school districts, human service agencies, and the Department of Education are notified immediately.  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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 18: STUDENT RECORDS**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>18.1</b>  <b>Student Records</b>  <b>28.09(10)</b>	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.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>18.2</b>  <b>Student</b>	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"> <li>a. log of access consistent with requirements of the Massachusetts Student Record Regulations 18-05(11)(a)</li> </ol>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>Records</b></p> <p><b>28.09(10)</b></p> <p><b>MGL c.71, s. 34H</b></p> <p><b>603 CMR 23.00</b></p> <p><b>Family Educational Rights and Privacy Act (FERPA)</b></p>	<p>Regulations. 18.05(11)(a)</p> <p>b. face sheets with the following information:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Date of birth</li> <li>• Recent picture</li> <li>• Date of admission to private school</li> <li>• Name of educational case manager</li> <li>• Location of residential service within facility (if applicable), and name of residential case manager or supervisor</li> <li>• Date initially eligible for special education (if known)</li> <li>• Date of most recent special education evaluation(s)</li> <li>• Date of next expected 3-year reevaluation</li> <li>• Starting and expiration dates of current (or most recent) IEP</li> <li>• Primary language of student</li> <li>• Legal status of student</li> <li>• If under 18: in custody of both parents, one parent [specify], legal guardian [specify], other [specify]</li> <li>• If 18 or over: makes own decisions; under legal guardianship [specify]; has shared role with parent in education decisions [specify]</li> <li>• Other state agency/ies involved with student:</li> <li>• Parent/guardian contact information: names, addresses, H &amp; W telephone numbers, e-mails</li> <li>• Primary language of parents/guardian</li> <li>• Contact information of persons other than parents to be contacted in an emergency (names, addresses, telephone numbers)</li> <li>• Educational surrogate contact information (if applicable)</li> <li>• Date of last complete physical health examination by physician</li> <li>• Notation of allergies and/or any other medical condition affecting student's well-being, e.g., seizures</li> <li>• Medications</li> <li>• Information specific to this student re handling of medical emergencies</li> </ul> <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><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

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